
Commerce & Labor Committee

HB 2050

Brief Description: Excluding from employment services performed by language translators and interpreters for others through agents and brokers.

Sponsors: Representative Anderson.

Brief Summary of Bill

- Excludes services performed by language translators or interpreters that are provided for others through an agent or broker from covered employment for purposes of unemployment compensation and workers' compensation.

Hearing Date: 1/17/08

Staff: Jill Reinmuth (786-7134).

Background:

Persons are eligible to receive certain employment-related benefits and employers are obligated to pay certain employment-related taxes depending on whether the employment is covered or excluded from coverage.

Unemployment Compensation

Unemployment benefits are payable to unemployed workers who worked at least 680 hours in covered employment in their base years and meet other eligibility requirements. Unemployment contributions (taxes) are paid by employers based, in part, on wages paid in covered employment.

Most employment is covered for purposes of unemployment compensation. Personal services performed for a third party pursuant to a contract with a services referral agency are deemed to be employment for the services referral agency when the agency is responsible for the payment of wages for those services. A "services referral agency" is a business that offers the services of an individual to perform specific tasks for a third party.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Services performed by language interpreters and translators for others through agents or brokers are generally considered to be covered employment.

Industrial Insurance

Industrial insurance benefits are paid to workers who are injured or develop an occupational disease while working in covered employment. Industrial insurance for covered employment is maintained either through the state fund administered by the Department of Labor and Industries or through self-insurance. Both state fund and self-insured employers are immune from civil liability for nonintentional workplace injuries and diseases.

Most employers and workers are covered for purposes of industrial insurance. Language interpreters and translators who provide services for others through agents or brokers are generally considered to be covered.

Summary of Bill:

For purposes of unemployment compensation, "employment" does not include services performed by language translators or interpreters that are provided for others through an agent or broker. Agents and brokers are not required to pay state unemployment taxes on wages paid for such services. Language translators and interpreters are not eligible for unemployment benefits based on such services.

For purposes of industrial insurance, a person performing language translator or interpreter services that are provided for others through an agent or broker is excluded from mandatory coverage. Agents and brokers are not required to maintain industrial insurance coverage for persons performing such services and are not immune from civil liability for nonintentional workplace injuries and diseases. Persons performing such services are not eligible for industrial insurance benefits for injuries or occupational diseases that arise out of such services.

Rules Authority: The bill does not address the rule-making powers of an agency.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.