
SENATE BILL 5771

State of Washington

54th Legislature

1995 Regular Session

By Senators Pelz, Newhouse and Deccio; by request of Employment Security Department

Read first time 02/06/95. Referred to Committee on Labor, Commerce & Trade.

1 AN ACT Relating to third party employers; adding a new section to
2 chapter 50.04 RCW; and creating a new section.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 50.04 RCW
5 to read as follows:

6 (1) Subject to the other provisions of this title, personal
7 services performed for, or for the benefit of, a third party pursuant
8 to a contract with a temporary services agency, employee leasing
9 agency, services referral agency, or other entity shall be deemed to be
10 employment for the temporary services agency, employee leasing agency,
11 services referral agency, or other entity when the agency is
12 responsible, under contract or in fact, for the payment of wages in
13 remuneration for the services performed.

14 (2) For the purposes of this section:

15 (a) "Temporary services agency" means an individual or entity that
16 is engaged in the business of furnishing individuals to perform
17 services on a part-time or temporary basis for a third party.

1 (b) "Employee leasing agency" means an individual or entity that
2 for a fee places the employees of a client onto its payroll and leases
3 such employees back to the client.

4 (c) "Services referral agency" means an individual or entity that
5 is engaged in the business of offering the services of an individual to
6 perform specific tasks for a third party.

7 NEW SECTION. **Sec. 2.** If any part of this act is found to be in
8 conflict with federal requirements that are a prescribed condition to
9 the allocation of federal funds to the state or the eligibility of
10 employers in this state for federal unemployment tax credits, the
11 conflicting part of this act is hereby declared to be inoperative
12 solely to the extent of the conflict, and such finding or determination
13 shall not affect the operation of the remainder of this act. The rules
14 under this act shall meet federal requirements that are a necessary
15 condition to the receipt of federal funds by the state or the granting
16 of federal unemployment tax credits to employers in this state.

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