

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE SENATE BILL 5473

66th Legislature
2020 Regular Session

Passed by the Senate March 10, 2020
Yeas 32 Nays 17

President of the Senate

Passed by the House March 5, 2020
Yeas 57 Nays 40

**Speaker of the House of
Representatives**

Approved

Governor of the State of Washington

CERTIFICATE

I, Brad Hendrickson, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE SENATE BILL 5473** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

**Secretary of State
State of Washington**

ENGROSSED SUBSTITUTE SENATE BILL 5473

AS AMENDED BY THE HOUSE

Passed Legislature - 2020 Regular Session

State of Washington

66th Legislature

2020 Regular Session

By Senate Labor & Commerce (originally sponsored by Senators Saldaña and Nguyen)

READ FIRST TIME 02/05/20.

1 AN ACT Relating to studying exceptions to provisions
2 disqualifying individuals from receiving unemployment benefits for
3 leaving work voluntarily without good cause; creating new sections;
4 and providing an expiration date.

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

6 NEW SECTION. **Sec. 1.** (1) As a result of major demographic
7 shifts, adults' obligations to provide unpaid care to elderly, frail,
8 ill, or family members with a disability have sharply increased in
9 the United States over the last two decades. In addition, the
10 increasing unavailability of child care creates a problem for parents
11 with young children. These situations appear to disproportionately
12 affect women workers who are single parents. These trends often force
13 employees to choose between providing care to a family member and
14 keeping their job. Another factor for a parent leaving a job may be
15 to relocate to be closer to a minor child. Additionally, workers are
16 finding themselves in situations where the hours or responsibilities
17 are being substantially increased without a commensurate increase in
18 pay. Unemployment insurance was created to ease the burden of
19 involuntary unemployment upon individual employees and the economy as
20 a whole. Our current framework places unnecessary barriers to this
21 insurance benefit in the way of workers, frequently low-wage

1 employees, who must rely on caregiving or provide it themselves,
2 sometimes forcing them to leave the workforce and leaving employers
3 with a smaller labor pool. It is the intent of the legislature to
4 ensure that Washington's unemployment insurance system remains
5 responsive to the needs of employees with caregiving and other
6 responsibilities and taking into account changes at the workplace.

7 (2) Several senate bills in the 2020 legislative session would
8 have amended the unemployment insurance laws to provide that an
9 individual is not disqualified from unemployment insurance benefits
10 when:

11 (a) The separation was necessary because care for a child or a
12 vulnerable adult in the claimant's care is inaccessible, so long as
13 the claimant made reasonable efforts to preserve the employment
14 status by requesting a leave of absence or changes in working
15 conditions or work schedule that would accommodate the caregiving
16 inaccessibility, by having promptly notified the employer of the
17 reason for the absence, and by having promptly requested reemployment
18 when again able to assume employment;

19 (b) The employer, without a commensurate change in pay:

20 (i) Substantially increases the individual's job duties; or

21 (ii) Significantly changes the individual's working conditions;

22 and

23 (c) The individual left work to relocate outside the existing
24 labor market because of the geographical location of or proximity to
25 and the separation from a minor child.

26 (3) The legislature intends to have the employment security
27 department study the impacts to Washington's unemployment insurance
28 trust fund and the contribution rates of employers if the law was
29 amended to allow unemployment insurance benefits for individuals who
30 leave work voluntarily for the reasons described in subsection (2) of
31 this section.

32 NEW SECTION. **Sec. 2.** (1) The employment security department
33 must study the impacts to:

34 (a) Washington's unemployment insurance trust fund and the
35 contribution rates of employers if the law was amended to allow
36 unemployment insurance benefits for individuals who leave work
37 voluntarily for the reasons described in section 1(2) of this act;
38 and

1 (b) Washington's unemployment insurance trust fund if the law was
2 amended to allow unemployment insurance benefits for individuals who
3 leave work voluntarily for the reasons described in section 1(2) of
4 this act, and the benefits were not charged to the employers'
5 experience rating accounts.

6 (2) The employment security department may consider:

7 (a) The existing and prior Washington laws, rules, and case law
8 governing the disqualification of individuals from receiving
9 unemployment benefits for leaving work voluntarily without good
10 cause;

11 (b) The laws and regulations of other states governing the
12 disqualification of individuals from receiving unemployment benefits
13 for leaving work voluntarily without good cause; and

14 (c) Any other information the employment security department
15 deems relevant.

16 (3) By November 6, 2020, and in compliance with RCW 43.01.036,
17 the employment security department must report to the governor and
18 the appropriate committees of the legislature providing:

19 (a) The impacts described in subsection (1) of this section,
20 broken down by each of the reasons described in section 1(2) of this
21 act;

22 (b) Any recommendations for how the statutes and rules may be
23 amended to address the circumstances described in section 1(2) of
24 this act, as fully as practicable, while limiting adverse impacts to
25 the unemployment trust fund and the contribution rates of employers.

26 (4) While the employment security department is conducting the
27 study, the department must meet at least three times with a
28 representative of the largest business association and a
29 representative from an organization which provides low-cost
30 representation or free advice and counsel to people regarding their
31 unemployment benefits to discuss the information gathered by the
32 department.

33 (5) This section expires December 31, 2020.

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