**5473-S.E AMH LAWS H5130.1 - NOT FOR FLOOR USE**

**ESSB 5473** - H COMM AMD

By Committee on Labor & Workplace Standards

**ADOPTED 03/05/2020**

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec.**  (1) As a result of major demographic shifts, adults' obligations to provide unpaid care to elderly, frail, ill, or family members with a disability have sharply increased in the United States over the last two decades. In addition, the increasing unavailability of child care creates a problem for parents with young children. These situations appear to disproportionately affect women workers who are single parents. These trends often force employees to choose between providing care to a family member and keeping their job. Another factor for a parent leaving a job may be to relocate to be closer to a minor child. Additionally, workers are finding themselves in situations where the hours or responsibilities are being substantially increased without a commensurate increase in pay. Unemployment insurance was created to ease the burden of involuntary unemployment upon individual employees and the economy as a whole. Our current framework places unnecessary barriers to this insurance benefit in the way of workers, frequently low-wage employees, who must rely on caregiving or provide it themselves, sometimes forcing them to leave the workforce and leaving employers with a smaller labor pool. It is the intent of the legislature to ensure that Washington's unemployment insurance system remains responsive to the needs of employees with caregiving and other responsibilities and taking into account changes at the workplace.

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

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

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

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

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

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

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

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

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

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

(2) The employment security department may consider:

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

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

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

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

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

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

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

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

Correct the title.

EFFECT: Directs the study to include impacts to the unemployment insurance trust fund if employers were not charged for benefits from the potential new bases for voluntary quits.

Specifies that the report on impacts to the unemployment insurance trust fund and employer contribution rates include the separate impacts from each of the potential bases for allowing benefits.