

E2SHB 1073 - S COMM AMD

By Committee on Labor, Commerce & Tribal Affairs

OUT OF ORDER 04/07/2021

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** (1) The legislature finds that many
4 Washington workers have suffered direct effects from the COVID-19
5 pandemic. Due to the unprecedented global shutdown in response to
6 COVID-19, many Washington workers who have paid into the paid family
7 and medical leave insurance program are unable to access their
8 benefits through no fault of their own. Workers recovering from
9 COVID-19 or caring for an individual who is severely ill or
10 quarantining due to COVID-19 are unable to access their benefits.

11 (2) Therefore, the legislature intends to provide financial
12 assistance to workers who are not otherwise eligible for paid family
13 and medical leave due to COVID-19's impact on their ability to meet
14 the hours worked threshold. The legislature intends to provide a
15 pandemic leave assistance grant to provide an equivalent benefit to
16 what the worker would otherwise be eligible to receive under the paid
17 family and medical leave insurance program.

18 (3) The legislature intends to utilize federal funding from the
19 America rescue plan act to provide financial assistance to COVID-19
20 impacted workers. The legislature does not intend for this worker
21 assistance to affect the state's paid family and medical leave
22 insurance account.

23 NEW SECTION. **Sec. 2.** A new section is added to chapter 50A.15
24 RCW to read as follows:

25 (1) Employees who do not meet the hours worked threshold for
26 eligibility under RCW 50A.15.010 or 50A.30.020(1) in calendar year
27 2020 or the first calendar quarter of 2021, and are otherwise
28 eligible under Title 50A RCW for a claim with an effective start date
29 in 2021 through June 30, 2022, are eligible for a pandemic leave

1 assistance grant as provided under this section if they meet any of
2 the following hours thresholds:

3 (a) Worked 820 hours in employment during the first through
4 fourth calendar quarters of 2019;

5 (b) Worked 820 hours in employment during the second through
6 fourth calendar quarters of 2019 and first calendar quarter of 2020;
7 or

8 (c) Worked 520 hours in employment during the first calendar
9 quarter of 2020.

10 (2)(a) Subsection (1) of this section does not apply to an
11 employee who does not meet the hours worked threshold for eligibility
12 under RCW 50A.15.010 or 50A.30.020(1) because of an employment
13 separation due to misconduct or a voluntary separation unrelated to
14 the COVID-19 pandemic.

15 (b) An employee seeking eligibility under this section must
16 attest, in a manner prescribed by the department, that their failure
17 to meet the hours worked threshold for eligibility under RCW
18 50A.15.010 or 50A.30.020(1) is not due to the reasons specified in
19 (a) of this subsection.

20 (3) The amount of the pandemic leave assistance grant to each
21 eligible employee must be equal to the weekly benefit payment
22 calculated in Title 50A RCW and any rules promulgated thereunder. In
23 calculating the weekly benefit payment for nonsalaried employees
24 eligible under subsection (1) of this section, the typical workweek
25 hours are the quotient derived by dividing the sum of the employee's
26 hours reported by the sum of the number of weeks for which the
27 employee reported hours.

28 NEW SECTION. **Sec. 3.** The employment security department may
29 adopt rules to implement this act."

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30 On page 1, line 2 of the title, after "program;" strike the
31 remainder of the title and insert "adding a new section to chapter
32 50A.15 RCW; and creating new sections."

EFFECT: Modifies the intent section. Utilizes federal funding from the America rescue plan act to provide financial assistance to workers unable to access state paid family and medical leave benefits due to not meeting the hours worked threshold because of COVID-19. Retains the alternate eligibility periods to determine employee eligibility for the new grant, which is equal to the weekly benefit amount in the paid family and medical leave program. Removes provisions on small business grants, and the null and void and emergency clauses.

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