

SSB 6158 - S AMD 440

By Senator Zarelli

PULLED 4/21/2009

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

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4 **Sec. 1.** RCW 49.86.030 and 2007 c 357 s 5 are each amended to read
5 as follows:

6 ((~~Beginning October 1, 2009~~)) Subject to the limitations specified
7 in RCW 49.86.150, family leave insurance benefits are payable to an
8 individual during a period in which the individual is unable to
9 perform his or her regular or customary work because he or she is on
10 family leave if the individual:

11 (1) Files a claim for benefits in each week in which the
12 individual is on family leave, and as required by rules adopted by the
13 director;

14 (2) Has been employed for at least six hundred eighty hours ((~~in~~
15 ~~employment~~)) during the individual's qualifying year;

16 (3) Establishes an application year. An application year may not
17 be established if the qualifying year includes hours worked before
18 establishment of a previous application year;

19 (4) Consents to the disclosure of information or records deemed
20 private and confidential under chapter 50.13 RCW. Initial disclosure
21 of this information and these records by the employment security
22 department to the department is solely for purposes related to the
23 administration of this chapter. Further disclosure of this
24 information or these records is subject to RCW 49.86.020(3);

25 (5) Discloses whether or not he or she owes child support
26 obligations as defined in RCW 50.40.050; and

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1 (6) Documents that he or she has provided the employer from whom
2 family leave is to be taken with written notice of the individual's
3 intention to take family leave in the same manner as an employee is
4 required to provide notice in RCW 49.78.250.

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6 **Sec. 2.** RCW 49.86.210 and 2007 c 357 s 26 are each amended to
7 read as follows:

8 (~~Beginning September 1, 2010,~~) The department shall report to
9 the legislature by September 1st of the first year in which family
10 leave insurance benefits are payable and each year thereafter on
11 projected and actual program participation, premium rates, fund
12 balances, and outreach efforts.

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14 **Sec. 3.** RCW 49.86.150 and 2007 c 357 s 17 are each amended to
15 read as follows:

16 (1) Family leave insurance benefits are payable under this chapter
17 only to the extent provided in RCW 49.86.050 and RCW 49.86.060 and
18 only to the extent that the legislature has identified and
19 implemented a stable, adequate, long-term funding source for benefit
20 payments and moneys are deposited and available in the family leave
21 insurance account for that purpose. Neither the state nor the
22 department is liable for any amount in excess of these limits.

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24 (2) This chapter does not create a continuing entitlement or
25 contractual right. The legislature reserves the right to amend or
26 repeal all or part of this chapter at any time, and a benefit or other
27 right granted under this chapter exists subject to the legislature's
28 power to amend or repeal this chapter. There is no vested private
29 right of any kind against such amendment or repeal.

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EFFECT: Postpones the implementation of the family leave program until the legislature designates an adequate, stable, long-term funding source.

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