
Labor & Workplace Standards Committee

HB 1619

Brief Description: Concerning paid family leave premium collection for dockworkers.

Sponsors: Representatives Parshley, Low, Fitzgibbon, Berry, Reed and Fosse.

Brief Summary of Bill

- Specifies that a representative for employers of dockworkers who normally work for several employers in the same industry interchangeably through a collective bargaining agreement constitute an "employer" for the purposes of the Paid Family and Medical Leave Program.

Hearing Date: 2/5/25

Staff: Kelly Leonard (786-7147).

Background:

The Paid Family and Medical Leave (PFML) Program provides partial wage replacement to employees on leave for specified family and medical reasons. An eligible employee may access paid family or medical leave benefits for a qualifying event if the employee worked at least 820 hours during a qualifying year. The 820 hours can be satisfied in one or more positions with one or more employers. Eligible employees can take up to 12 weeks of medical leave or family leave, or up to 16 to 18 weeks of combined medical and family leave in a year.

Under the PFML Program, "employer" means:

- any individual or type of organization, including any partnership, association, trust, estate, joint stock company, insurance company, limited liability company, or corporation;

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- the state, state institutions, and state agencies; and
- any unit of local government including, but not limited to, a county, city, town, municipal corporation, quasi-municipal corporation, or political subdivision.

Employers have certain obligations in the PFML Program, including: (1) notifying employees of PFML benefits; (2) calculating, collecting, and paying premiums to the Employment Security Department (ESD); and (3) providing employment protection and continuing health care coverage for certain eligible employees.

The PFML Program is funded through premiums paid by employers and employees. Employers collect and remit the premium on each employee's taxable wages to the ESD on a quarterly basis. The total premium rate for combined family leave and medical leave benefits is established through a statutory formula and adjusted annually by the ESD. The total premium for 2025 is 0.92 percent of taxable wages, of which 71.52 percent is allocated to employees and 28.48 is allocated to employers, except employers with fewer than 50 employees are not required to pay the premium.

An employer must restore an employee who returns from leave to the same or equivalent job if the employer has 50 or more employees, and the employee worked for the employer for at least 12 months and for at least 1,250 hours in the 12 months before taking leave. An employer must also maintain existing health benefits for an employee receiving PFML benefits if they have at least one day of overlap with leave taken under the federal Family and Medical Leave Act.

Summary of Bill:

The definition of "employer" in the PFML Program is expanded to include representatives for employers of dockworkers who normally work for several employers in the same industry interchangeably through a collectively bargained agreement, thereby imposing PFML Program employer responsibilities and obligations onto those representatives. However, other than for their own employees, employer representatives are not obligated to report dockworkers who are not covered by the collective bargaining agreement.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.