



A weekly report from the Washington State Labor Council, AFL-CIO

Legislative UPDATE



FEB. 28, 2006

Vol. XXI, No. 8

Thank God it's not yet Friday

The 2006 legislative session is in the home stretch, and several critically important working families bills must get a floor vote by 5 p.m. this Friday to pass. Bills necessary for implementation of the budget have right up until the last day of the session—Thursday March 9—to pass.

Here are some of the bills upon which the Washington State Labor Council is urging floor action this week:

SB 6885: Unemployment Insurance Reform

Perhaps SB 6885 should now be dubbed the Fair Share Unemployment Insurance bill. As Employment Security Department Commissioner Karen Lee points out, the best approach to the UI Trust Fund's excess surplus is to divide it between employers and laid-off workers.

"How should the surplus be shared between parties so it's fair? The fairest approach is to do a little of both," Lee told the *Yakima Herald-Republic* this week, explaining her support for SB 6885.

The bill makes a modest restoration of unintentionally severe 2003 UI benefit cuts by permanently reinstating two-quarter averaging in the calculation of benefits. At the same time, Washington businesses that pay into the UI system would save more than \$1 billion.

Also this week, it got even harder for SB 6885 opponents to pass the straight-face test when predicting the bill could lead to UI tax increases or fund insolvency. The latest data run on SB 6885 using new state revenue figures shows that, even in the case of another dot-com-like recession, the trust fund would still maintain an 18-month cushion, easily exceeding the 12 months recommended by the U.S. Department of Labor. (Watch TVW floor action coverage for those increasingly strained straight faces.)

The Washington State Labor Council, AFL-CIO and the rest of organized labor continue to urge State Representatives to approve SB 6885—without amendment—as soon as possible. Talks between business and labor members of the UI Task Force continue; they met yesterday and again today. Any additional UI changes or agreements that emerge from those meetings could be approved via Rep. Conway's title-only HB 3278. Please pass SB 6885 without amendment!

SB 6185: Protecting the federal FMLA

SB 6185 would codify the federal Family and Medical Leave Act into state statute. The FMLA, which covers employers with 50 or more employees, provides a total of 12 weeks of unpaid leave for birth, adoption or serious illness. Leave can be taken for the serious illness of a spouse, child or parent. The key issue in the FMLA is job security.

But the FMLA is under attack by the Bush administration. Rather than try to push unpopular legislation weakening the FMLA through Congress, the White House wants to do the same thing it did (against objections from Congress) to overtime pay: Simply change the rules. The Bush administration intends to redefine "serious illness" and make other changes that make it harder for workers to qualify for FMLA leave. SB 6185 would protect the FMLA from the Bush administration's anti-worker tampering in Washington state.

In other words, a vote against SB 6185 is a vote against the federal Family and Medical Leave Act. It's a vote against allowing people to take *unpaid* leave to deal with a family crisis without compounding that crisis by losing their jobs. The Senate approved SB 6185, 37-12, with only the most radically anti-labor Republicans, including Mason County Commissioner Tim Sheldon (I), voting "no."

The WSLC urges the State House of Representatives to approve SB 6185 and send it to Governor's desk.

HB 3003 and 2789: Promoting apprenticeship

HB 3003 would extend Washington's apprenticeship utilization standard to state Department of Transportation projects. For nearly six years, large public works projects in Washington have had to set aside a certain percentage of work hours to be performed by apprentices in state-certified programs. It has proven to be an excellent way to ensure the workforce of tomorrow in many construction trades.

But DOT has always been exempted. HB 3003 would end that exemption, phasing in over three years the current 15% apprenticeship utilization standard. After last year's

CONTINUED ON NEXT PAGE

CONTINUED FROM LAST PAGE

passage—and voter's affirmation—of a major multi-billion dollar investment in our highways and bridges, our state can make sure these projects create new opportunities for young people, including returning veterans, to earn-while-they-learn needed job skills that offer family-wage careers.

Likewise, HB 2789 would expand apprenticeship opportunities for high school graduates and spur more educational outreach to ensure students know about these excellent training programs. Governor Gregoire got a huge ovation in this year's State of the State speech when she said she supported a "Running Start" program for the trades. That's what this bill aims to do. Given the growing demand for high-skilled workers, and the impending retirement of baby boomers with those skills, HB 2789 is truly a win-win.

Other bills awaiting votes WSLC SUPPORTS

EDUCATION

SHJR 4205 (prime sponsor: Schual-Berke) amending the State Constitution to provide for a simple majority of voters voting to authorize a school levy. Two-thirds majority required.—Passed the House 74-23.

ELECTIONS & POLITICS

SB 6236 (Schmidt) moving up the state primary to the third week of August.—Passed Senate 37-11.

HB 1226 (Schual-Berke) applying campaign contribution limits to judicial races.—Passed House 58-40.

HB 2780 (McDermott) authorizing additional payroll deductions for state employees.—Passed House 97-1.

HEALTH CARE

SB 3079 (Conway), the Health Care Disclosure Act, reporting on the employment status of Medicaid and the BHP recipients.—Passed House 94-3.

HB 2572 (Morrell) establishing the Small Employer Health Insurance Partnership Program and adding 10,000 Basic Health Plan slots.—Passed House 57-41.

HOME CARE

HB 2475 (Conway) requiring collective bargaining regarding hours of work for individual providers.—Passed House 97-1.

LABOR STANDARDS

SB 6411 (Doumit) allowing local governments to negotiate six-year collective bargaining agreements.—Passed Senate 43-4.

HB 2353 (Pettigrew) providing collective bargaining for family child care providers.—Passed House 84-14.

HB 3178 (Murray) concerning collective bargaining by state ferry employees.—Passed House 96-2.

HB 3185 (McCoy) creates an administrative remedy for the collection of back wages owed to workers.—Passed House 98-0.

Check out the **WSLC Legislative Tracker™** for up-to-the-second-we-get-to-it updates on the status of key labor bills. Visit **www.wslc.org**

PREVAILING WAGE

SB 5236 (Kohl-Welles) providing additional Labor & Industries funding for prevailing wage enforcement.—Passed Senate 47-1.

PUBLIC EMPLOYEE PENSIONS

HB 2684 (Fromhold) allowing vesting after 5 years' service in the defined-benefit portion of PERS, SERS and TRS.—Passed House 97-0.

SAFETY & HEALTH

HB 2538 (Conway) authorizes L&I to seek warrants for WISHA inspections.—Passed House 98-0 (passed Senate 49-0 at press time Tuesday afternoon).

WORKERS' COMPENSATION

SB 6264 (Kohl-Welles) allowing an injured worker to change total permanent disability pension options under certain conditions.—Passed Senate 48-0.

WORKPLACE FREEDOM

HJM 4036 (Conway) urging Congress to approve the Employee Free Choice Act (labor law reform) and to oppose the National Security Personnel System.—Exempt from previous cutoffs, must be voted upon by 5 p.m. this Friday.

One workers' comp bill the WSLC OPPOSES

HB 2537 (Conway) establishing a pilot program to allow employers to assist employees in completing industrial insurance applications. The WSLC had sought to have language inserted that clearly protects the rights of injured workers in the pilot, but that language was not adopted. In addition, the bill lacks a remedy if the employer fails to report the injury or illness and the statute of limitation runs out, disqualifying injured workers from benefits.—Passed House 97-1.

Call the Legislative Hotline and leave messages for your legislators on these bills!

1-800-562-6000