



Legislative UPDATE

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



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Family Leave Insurance: It's time

What would you do if your child was diagnosed with a serious illness and you couldn't afford to take any time off work?

That's a real-world dilemma for nearly half of the workers in Washington state who get no paid sick leave. If it becomes necessary for them to care for a sick family member or a new baby arrives, they simply lose their incomes -- and sometimes their very jobs.

In a House Commerce and Labor Committee work session this week, Professor Ellen Bravo of the University of Wisconsin reported on a study by the U.S. Department of Labor that found 78 percent of those who needed leave did not take it because they couldn't afford to. The federal Family and Medical Leave Act provides up to 12 weeks of leave for such events, but Bravo reported that about half of the private workforce is not covered by the FMLA -- and even if they are, it's unpaid leave.

The Washington State Labor Council, AFL-CIO believes that all workers, when faced with a serious health condition in their family, should be assured both job security and economic security. And after six years of discussion, debate and policy revision, we believe the time is finally here for a paid family leave insurance program in Washington state.

Bills sponsored by Rep. Mary Lou Dickerson (D-Seattle) and Sen. Karen Keiser (D-Des Moines) would help alleviate this problem by providing all Washington workers with up to five weeks of paid leave, after a one-week waiting period, at a stipend of \$250 a week so they can deal with a serious illness for themselves or a family member, including domestic partners, or the birth or adoption of a child. The insurance program would be financed by a 2-cents-an-hour payroll tax on workers. That means for \$40 a year, all workers would have the security of knowing they can afford to take time off work when they have a family health emergency.

According to the DOL study, 60 percent of individuals taking federal Family and Medical Leave did so for their own health conditions. Being able to take up to five weeks of leave with a stipend of \$250 a week is particularly important since more than half the workforce -- and three-quarters of low-wage workers -- have no paid sick days, Bravo reported.

California, Hawaii, New Jersey, New York and Rhode Island offer paid disability leave for all workers, including coverage for women following childbirth. In 2004, California became the first state to add a family leave component to its existing disability insurance program. Since that time, 90% of the

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claims for paid family leave in California were for bonding with a new child and 10% of the claims were for care giving. As this new program is marketed, the number of claims for illness and care giving are expected to increase.

The Washington State Labor Council has been part of a coalition of groups that has supported creating this program for six years now. In 2005, a Family Leave Insurance bill passed the State Senate, but failed to get a vote in the House.

Now is the time to pass paid family leave insurance.

Please call the Legislative Hotline at 1-800-562-6000 and leave a message urging your State Senator, your State Representatives and the Governor to support Paid Family Leave Insurance.

Fair Share court ruling doesn't deter coalition

In a 2-1 decision this week, the U.S. Court of Appeals ruled that Maryland's Fair Share law violated the federal Employee Retirement Income Security Act. Among other things, ERISA is intended to allow big companies to set up uniform employee health benefits nationwide, rather than navigating state-by-state requirements. Naturally, the coalition of labor, business, health-provider, religious and consumer interests that supported last year's Fair Share Health Care legislation here in Washington—including the Washington State Labor Council—is disappointed with this court decision.

But the good news is that the coalition was already working to address those ERISA issues based on concerns previously expressed by the Governor Chris Gregoire and House Speaker Frank Chopp. As we have said all along, this year's effort to discourage large employers from shifting their health costs onto

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taxpayers will be significantly different than last year's, and when it is introduced, the coalition is confident that it will pass judicial muster.

Bottom line: The health care cost-shifting problem -- and the desire among legislators, health care advocates and taxpayers to address it -- doesn't change at all with this court decision.

Fully fund our state's public health system

With Gov. Gregoire's budget proposal to make an historic investment in Washington's public school system, education spending is shaping up to be the big budget story in 2007. Proponents are quick to remind us all that the State Constitution declares education funding to be Washington's "paramount duty."

Our Constitution also declares that the state government has a responsibility to protect the health and safety of its citizens. And the law declares that our state's public health system is essential to fulfilling that constitutional responsibility.

So how are we faring with *that* constitutional duty?

Put that question to public health professionals in our state, and they'll tell you that Washington's system is woefully underfunded and understaffed. It lacks the adequate resources to fulfill its existing responsibility to the public, much less to address the new emerging health threats of the 21st Century, including new drug-resistant strains of disease and bioterrorism.

At the Washington State Labor Council's 2006 Convention in Wenatchee last August, delegates representing the council's affiliated unions from across the state voted unanimously to advocate for "the creation of a permanent and stable public health funding source."

The public health system lost a significant funding source in 1999 when voters repealed the Motor Vehicle Excise Tax. (Don't ask... we have no idea.) Since then, the Legislature hasn't dedicated a stable funding source to replace the money. Last year, the Legislature passed HCR 4410 creating a commission to review public health funding and possible sources, and in its final report released in November, the commission recommended allocating \$50 million for each year of the biennium.

Call the Legislative Hotline at 1-800-562-6000 and leave the following message for your legislators:

"The 4410 recommendation is a good first step. Please make public health a priority for our families and the community, and fully fund our public health system."

Opportunity Grants offer job-linked training

HB 1096 would encourage job-linked training -- and labor and business partnerships -- as part of the Opportunity Grants Program. The bill was heard this week in the House Community and Economic Development Committee, and is prime sponsored by the committee's chair, Rep. Phyllis Kenney (D-Seattle), along with a bipartisan group of co-sponsors.

Opportunity Grants -- designed to help low-income adults get on a pathway to family-wage jobs by promoting access to high-demand training at the community and technical colleges -- were created with \$4 million in last year's budget. More than 400 students have already received Opportunity Grants and have begun their training in a variety of career pathways.

This is a very exciting program that opens doors for disadvantaged adults and will help to fill the skills gap that we face in Washington state. Organized labor is proud to support this bill and program.

Upcoming hearings

MONDAY, Jan. 22 @ 10 a.m.: Senate Labor & Commerce hearing on bills related to workers' compensation claims suppression and Unemployment Insurance. MONDAY @ 1:30 p.m.:

Senate Health & Long-Term Care hearing on bills related to children's health care. MONDAY @ 3:30 p.m.: House Transportation work session and hearing on ferry financing and revenue.

TUESDAY, Jan. 23 @ 3:30 p.m.: House Appropriations hearing on several bills related to public employee pension plans.

WEDNESDAY, Jan. 24 @ 3:30 p.m.: House Appropriations hearing on bills related to public employee pension plans.

THURSDAY, Jan. 25 @ 1:30 p.m.: House Appropriations Subcommittee on Education work session on community and technical college part-time faculty pay. THURSDAY @ 3:30 p.m.: Senate Labor, Commerce, Etc. hearing on SB 5082 modifying time periods for collective bargaining by state ferry employees, SB 5053 creating an office of ombudsman for employees of self-insured employers, SB 5153 encouraging employers to be infant-friendly, and SB 5251 extending the maximum term of county and local government collective bargaining agreements from three to six years.

FRIDAY, Jan. 26 @ 1:30 p.m.: House Commerce & Labor hearing on HB 1306 extending the ban of mandatory overtime to nurses in the public sector, HB 1370 regarding public workers excluded from prevailing wages on public works provisions.

WSLC Legislative Conference will be Feb. 22

Leaders, staffers and rank-and-file members of WSLC-affiliated unions are invited to get a progress report on labor's legislative agenda at the Washington State Labor Council's 2007 Legislative Conference, from 8:30 a.m. to lunchtime on Thursday, Feb. 22 at the Olympia Red Lion Hotel. As always, there will be a reception from 6:30 to 8:30 p.m. the preceding evening on Wednesday, Feb. 21 at the hotel with many legislators and other state officials in attendance. The conference registration fee, which includes materials, lunch and one admission to the reception, is \$30. Get more information, including registration forms, at www.wslc.org.