Remote, but remarkable
By JOE KENDO

The 2021 legislative session was always going to be one for the history books. Lawmaking remotely via Zoom during a global pandemic was already enough to attract historians’ attention, but that novelty will surely be overshadowed by the sheer number of marquee pieces of legislation that lawmakers passed this year. Significant bills were approved to address labor rights and benefits, policing reform, revenue, housing, environmental protection, as well as a suite of measures to help people with the health and economic impacts of the COVID-19 pandemic.

This year, lawmakers prioritized legislation that advanced racial equity. Of particular emphasis was policing reform addressing use-of-force standards, tactics and accountability. Legislators also took action to improve equity infrastructure in our schools and colleges, and even in our labor laws, finally extending the protections of overtime pay to farm workers after the Supreme Court ordered it so for workers in dairies.

Worker Protection Act, transportation left undone

Washington’s labor community came in to the 2021 session with a slimmer agenda than in previous years given the logistical challenges posed by remote legislating and the need to drill down on COVID-adjacent policy. Although much was accomplished during the 105-day session, there were also missed opportunities, including two key policies from the WSCLC’s 2021 Workers’ Recovery Agenda. The Legislature failed to approve the Worker Protection Act to empower workers to better enforce labor laws, and failed to pass a transportation revenue package to build the infrastructure necessary to sustain our economy and put people to work.

The Worker Protection Act, HB 1076 sponsored by Rep. Drew Hansen (D-Bainbridge Island), would allow workers to seek justice in court if their employer violates existing wage, work and safety protections.

This feels like a sea change

In 1978, Californians approved one of the most consequential ballot measures in U.S. history, Proposition 13. It slashed and limited property taxes and began a “tax revolt” that spread across the nation.

Ronald Reagan was soon elected president and he also cut taxes, mostly for the rich, and promised the wealth would “trickle down.”

In the 40-plus years since Prop. 13, disinvestment in public services has continued. The wealthy elite have used their media outlets to convince Americans that government is their enemy. Corporations and the rich now pay a small fraction of what they used to pay in taxes, creating wealth inequality not seen since the Gilded Age. And a straight line can be drawn from underfunded public services to some of our society’s most pressing problems: unaffordable health care, housing and child care; dilapidated schools and transportation systems; and as we’ve learned amid this horrible pandemic, insufficient public health systems.

Maybe that’s why 2021 feels like a sea change. In both Washingtons, there is a renewed focus on building back better, both in terms of our post-pandemic economy and the essential government services that support working families.

This year, our State Legislature took significant steps to rebalance our upside-down tax system. Passage of the capital gains tax and the Working Families Tax Rebate are a great start to restoring some fairness to our tax system.

Some long-standing injustices were addressed head-on, such as granting
The COVID-19 pandemic—and the initial failed federal government response—put working people in a precarious position. Entering the 2021 legislative session, we knew fighting for our priorities would require an unprecedented challenge: navigating the first virtual session and ensuring policies that build power for working people were not ignored. But Labor is not one to shy away from monumental moments, and we drew from the lessons we’ve learned on strike lines, at the bargaining table, and in our communities: build coalitions, develop a strategy, and get it done.

Our strategy focused on the immediate needs of working people to ensure we are made whole in pandemic response and recovery. We advocated for emergency labor standards for protecting working people’s health on the job (SB 5115 and 5190) and extending the eviction moratorium (SB 5160). We worked with labor and community partners to support economic justice legislation, like finally funding a tax rebate for working families (HB 1297) and establishing an unemployment relief fund for undocumented immigrants.

We added our power and voice to community-driven legislation that matters to working people. We worked with labor allies to bring support to community partners’ priorities, like the slate of police reform and accountability measures recently signed into law or “just cause” legislation (HB 1236) that will affirm tenant rights and help keep folks housed.

These wins are made possible by coalition efforts to tackle our upside-down tax structure—moving towards the wealthy paying their fair share with a capital gains tax (SB 5096), for example—and by sourcing and supporting legislative priorities from impacted communities.

The hard-won successes of this session are game changers for working people. These wins will help workers in this moment, and they’ll better prepare us for a future crisis. It’s clear that access to affordable housing and safe neighborhoods are public health issues, that our economic prosperity depends on working people, and that we have the power to create a safety net in Washington that benefits all of us.

But we know how power works. The push to get back to “business as usual” and revoke the gains we’ve made for working people this past year has already begun. Corporate CEOs and their political allies want to go back to devaluing working people and attacking our power—until the next crisis, when our work will be deemed “essential” once again. But we know that our labor, and working people, are always essential.

We know what we need: heightened health and safety protections, economic support for working people, regardless of status, and a focus on making our communities safe and affordable. These are evergreen priorities that we are committed to advancing forward. The WSLC will fight to ensure that the protections and rights won for workers this past session are there to provide support now, and in the next crisis.

### Overtime

Workers was a priority for the WSRC, the United Farm Workers (UFW) and Familias Unidas por la Justicia (FUJ). SB 5172 establishes a three-year-phase-in period for new requirements which begin January 2022. Overtime will be due after 55 hours of work in a week; in January 2023, after 48 hours; and in January 2024, after 40 hours. Dairy workers, unlike other agricultural workers, will immediately due overtime pay after 40 hours, in keeping with the Supreme Court’s decision in Martinez-Cuevas v. DeRuyter Brothers Dairy.

“SB 5172 will end a racist legacy and correct an injustice that has lasted too long,” said WSRC President Larry Brown. “Washington’s labor movement has been a trailblazer in this movement, and we are proud to see it come to pass.”

As the song goes, “there’s something happening here, and it ain’t exactly clear.” To me, it feels like a sea change.

It feels like an opportunity to set aside cynicism and reflexive distrust of government, and to realize we’re all in this together. After COVID, we don’t have to settle for returning to “normal.” We can truly build back better for all of us.

### Farm workers and their advocates celebrate the governor’s signing of SB 5172 on May 11 outside the UFCW 1439 hall in Yakima.

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**Overtime Pay to Agricultural Workers Needed**

Overtime pay to agricultural workers and reforming policing to promote accountability and discontinue the unnecessary use of force. A state operating plan and build Washington’s transportation infrastructure, the 2021 session felt like much more than simply productive. It felt like a new day. Perhaps that’s because it came on the heels of Joe Biden’s election as president. The timely passage of his American Rescue Plan brought desperately needed economic relief for people and governments amid this pandemic.

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**Farm workers and their advocates celebrate the governor’s signing of SB 5172 on May 11 outside the UFCW 1439 hall in Yakima.**
Our state needs health system transparency

By SYBILL HYPPOLITE

Health care is increasingly corporate-driven and consolidated, with more and more hospitals and clinics buying up and organizing into large health systems—such as Providence, CHI Franciscan and MultiCare. Fewer companies running more of the places we see when we go to healthcare providers, healthcare prices increase while the quality of care decreases. All the while, inequities in care persist for Black, brown and Indigenous peoples, who try to suppress workers’ voice on the job. These trends are harmful for patients, workers and our communities.

Collectively, we spend a lot of money on health care, but where is our money going? During the COVID-19 pandemic, we recognized that our largest health systems making questionable choices with their resources, such as reserving vaccines for wealthy donors while elders struggled to access vaccines and healthcare workers during a health emergency. We know healthcare systems are not providing the care we need. But, we don’t understand enough to make the changes that are necessary.

That’s why health systems transparency is needed. This is a necessary step toward the health care we want: affordable, high-quality care for all of us when we need it.

HB 1272, the health systems transparency bill sponsored by Rep. Nicole Macri (D-Seattle), will provide more information on how healthcare dollars were spent in our state. This will help healthcare purchasers, including Taft-Hartley health plans, self-insured employers and state plans for public employees and Apple Health enrollees, can control healthcare costs and provide high-value care.

Additionally, the bill requires non-profit health systems justify their tax-exempt status by reporting how they invest their community-benefits activities: who is being served and how. To begin to adddress equity, the bill also requires health systems to collect information on patient demographics.

HB 1272 passed the House 58-40, was approved by the Senate 27-21, and was signed into law by Gov. Jay Inslee. Ultimately, better understanding of our state’s health systems will help Washington direct money in the ways that benefit us as patients, workers and community members.

Worker safety, health is prioritized

The pandemic exposed gaps in our worker safety net, particularly for healthcare, grocery, agriculture, transit, restaurant, corrections and other frontline workers and those who could not work remotely. These workers’ COVID-19 exposure is extremely hard to mitigate given the sheer volume of public interactions the need to get sick, it’s nearly impossible to prove it was a result of a specific occupational exposure. Plus, they may face retaliation from employers for reporting infections and safety lapses.

Fortunately, Sens. Karen Keiser (D-Des Moines) and Jeff Holy (R-Cheney) and Rep. Mike Sells (D-Everett) delivered a state-oriented pancrase of protections for essential workers.

Keiser’s SB 5115, the Health Emergency Labor Standards Act (HELSA), establishes worker protections during any health emergency, not just COVID, to ensure workers can’t be fired or terminated in the event the workers get infected and cannot work. Unless contrary evidence is provided, Labor and Industries would presume the condition was the result of their work and approve the claim, pay time-loss benefits and cover medical costs.

HELSA also requires employers to report infection outbreaks, requires the disclosure of infections to other workers on the job, and protects workers who are at a high risk for severe reactions or death due to the health emergency to ensure that they are not discharged or discriminated against.

Holy’s SB 1097, Protecting temporary workers when retaliation by authorizing L&I to impose a civil penalty against employers who retaliate against workers for filing a health-and-safety complaint; extend the number of days a worker has to file a complaint from 30 days to 90 days after a violation occurs; and offers small business grants for employers who need assistance with safety equipment necessary to comply with L&I orders.

Unfortunately, not every worthy health-and-safety bill was passed. Sen. Derek Stanford’s (D-Bothell) SB 5102 would have advanced reforms started in 2020 for workers subjected to intrusive Independent Medical Examinations in the workers’ compensation system. The Senate labor committee heard compelling testimony, including from IBEW 984 member Maria Diaz, who had to experience with perforation of IMEs, and the 8-hour round trip it required. SB 5102 passed the Senate Labor, Commerce & Tribal Affairs Committee, but failed to advance from Ways and Means.

Safety protections for temp workers

Temporary workers are twice as likely to be injured on the job as their permanent counterparts. That disparity is even greater in higher risk industries such as manufacturing and construction. HB 1206, sponsored by Rep. Liz Berry (D-Seattle), extends the same protections and training offered to permanent workers to temporary workers in construction and manufacturing. It passed the House 67-30, the Senate 38-11, and was signed by Gov. Jay Inslee.

HB 1206 requires increased communication between staffing agencies and site employers that will ensure safety and training gaps for temporary workers. Staffing agencies will be required to inquire about specific hazards at a given worksite and provide safety training to their temporary workers. Worksites will be required to document and inform staffing agencies of the anticipated job hazards; review the training staffing agencies provide; and provide site specific training for their worksites to temporary employees.

In 2020, union delegates to the WSLEC Convention approved a resolution to support progressive sources of new revenue and to use that money to prioritize investments in public education that address the legacy of racist policies that disadvantage students of color.

Washington’s community and technical colleges (CTC) are key to addressing the increasingly skills-demanding workforce and for addressing the economic gap for low-income and Black, Indigenous and people of color (BIPOC) communities. Approximately 45 percent of CTC students are BIPOC students, but the vast majority of faculty (70 percent) is white and too few of them are BIPOC.

SB 5194 is the “Our Colleges, Our Future Act” sponsored by Sen. Marko Liias (D-Everett). A major priority for AFST Washington and the Communities for Our Colleges Coalition, it provides a holistic approach to addressing racial equity and economic justice in our state’s CTCs. SB 5194 provides for crucial investments in diversity, equity, and inclusion for CTC students, based on what those students have identified as core needs: wraparound services, robust financial aid, and increasing full-time faculty positions. SB 5194 calls for the state to invest in 200 new full-time tenure-track faculty for BIPOC students in the next biennium, which will enable colleges to better recruit and retain diverse faculty.

“Students learn best from faculty that look like them, and currently our faculty is around 80 percent white people, so to increase the student body that is nearly 50 percent people of color,” said AFST Washington President Karen Strickland.

“We want to develop the next generation of faculty, especially BIPOC faculty. This didn’t come about because we didn’t do anything. It came about because we engaged in a race to the bottom and reaping more and more on gig workers in colleges.”

SB 5194 passed the Senate on a 30-19 vote, passed the House 60-38, and was signed into law by Gov. Jay Inslee on May 12.

Community, technical colleges get investment in equity, faculty

If there was a single notion that nearly all legislators and stakeholders agreed upon this session, it was that our unemployment insurance system utterly collapsed in the Spring of 2020, and was only able to provide minimal support toward low-wage workers when subjected to intrusive Independent Medical Examinations in the workers’ compensation system. The Senate labor committee heard compelling testimony, including from IBEW 984 member Maria Diaz, who had to experience with perforation of IMEs, and the 8-hour round trip it required. SB 5102 passed the Senate Labor, Commerce & Tribal Affairs Committee, but failed to advance from Ways and Means.

Uriel Macri

Overwhelmed UI system gets upgrades

There was a silver bullet to fix ESID’s problems, many of labor’s strongest allies in the Legislature secured improved protections that will accelerate claims processing and avoid similar problems in the future. Advocates from the Operating Engineers, Teamsters, UNITE HERE and SEIU stepped up to ensure claimants’ perspectives were heard.

SB 5193 sponsored by Sen. Jen Sensenbrenner (D-Tacoma) and HB 1487 from Rep. Dan Bronson (D-Lakewood) will help ESID maintain and train a pool of qualified emergency adjudicators within ESID and other agencies when claim surges occur.

This should help people whose claims get stuck due to complications like ID verification as a result of another’s fraud in their name.

SB 5061, a significant piece of employer-oriented UI policy by Sen. Karen McRae (D-Tacoma), extends the UI premium structure to keep employers’ rates from spiking. It also contained an increase in the minimum UI benefit from 15 to 20 percent of the state’s average weekly wage, a $70 per week improvement.

SB 5425 (Sen. Derek Stanford) and its companion HB 1492 (Rep. Mike Sells) ensures that claims for extended benefits without misaligned state laws get ting in the way. To promote job-search flexibility when in-person activities are unsafe, HB 1492 (Sells) and SB 5427 (Sen. Curtis King) will allow remote actions through 2023. HB 1455 (Rep. Gina Mosbrucker) addressed the unnecessary sharing of Social Security numbers with third parties.

Unfortunately, not every piece of good UI policy was adopted. HB 1474 (Rep. Frank Chopp), would have imposed penalties on employers that knowingly and specifically refuse to submit wage data to ESID, which can cause significant delays in benefit payments. SB 5064 (Sen. Rebecca Saldalha) and HB 1486 (Rep. Liz Berry) to improve benefits access for care givers also failed to advance.
## The good, bad and ugly bill sponsorships

Lots of bills that would have serious benefits or consequences for working families never get a full House or Senate vote. But you can tell who supports the good, bad and ugly bills by checking the list of sponsors and committee votes:

<table>
<thead>
<tr>
<th>Number</th>
<th>Bill Title</th>
<th>Sponsor</th>
<th>Sponsorship</th>
<th>Senate Committee</th>
<th>Vote</th>
<th>House Committee</th>
<th>Vote</th>
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</thead>
<tbody>
<tr>
<td>2 SB 5021</td>
<td>(Hunt)—Protects public pensions from benefit cuts due to hour reductions/layoffs amid the pandemic.</td>
<td>Right vote: YES</td>
<td>Passed 25-20, Feb. 23</td>
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<tr>
<td>3 SB 5267</td>
<td>(Saldaña)—Requires liensing for electrical work associated with flipping property.</td>
<td>Right vote: YES</td>
<td>Passed 29-19, Feb. 25</td>
<td></td>
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<tr>
<td>4 SB 5133</td>
<td>(Conway)—Grants paid family and medical leave to certain workers currently denied it due to insufficient hours worked.</td>
<td>Right vote: YES</td>
<td>Passed 29-20, Apr. 7</td>
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### HB 1474—UNEMPLOYMENT INSURANCE

- Strengthening penalty and audit tools for employer violations in unemployment insurance.

### HB 1215—SCHOOL VOUCHERS

- Establishing a “K-12 education scholarship” (voucher) program that empowers families to opt out of substandard education and pay for travel, lodging and meals at private schools.

### HB 1285—FRUIT AND VEGETABLE TAX BREAKS

- Ending the B&O tax exemption for fruit and vegetable companies that violate labor laws.

### HB 1027—WAGE AND HIRING FREEZE

- Imposing a two-year wage and hiring freeze upon Washington state government.

### HB 5096—Estabishing a state tax on extraordinary capital gains.

- Right vote: YES | Passed 25-24, Apr. 25

### HB 5044 (Das)—Alds equity, diversity, inclusion and anti-racism to schools’ cultural competency standards and training.

- Right vote: YES | Passed 29-19, Apr. 20

### SB 5115 (Keiser)—Creates an occupational disease presumption during a public health emergency for frontline employees.

- Right vote: YES | Passed 32-16, Apr. 10

### SB 5141 | (Saldaña)—The HEAL Act

- Authorizing the expenditure of funds for the state’s health care worker compensation program.

### SB 5172 | (King)—Providing oversight and override pay rights for farmworkers.

- Right vote: YES | Passed 42-6, Apr. 15

### SB 5190 | (Holy)—Providing health care workers with presumptive benefits during a public health emergency.

- Right vote: YES | Passed 37-12, Apr. 19

### SB 1028 | (Berquist)—Revising residency teacher certification requirements.

- Right vote: YES | Passed 32-17, Apr. 20

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### SB 5097 | (Robinson)—Expands definition of a family member for paid family and medical leave.

- Right vote: YES | Passed 29-19, Apr. 20

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- Right vote: YES | Passed 25-24, Apr. 25

### HB 1285—REPEALING ESTATE TAX

- Making the state’s tax code even more regressive by repealing the estate tax, which only applies to individuals with over $2.2 million.

### SB 5096 | (Estabishing a state tax on extraordinary capital gains.

- Right vote: YES | Passed 25-24, Apr. 25

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- Right vote: YES | Passed 29-19, Apr. 20

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- Right vote: YES | Passed 25-24, Apr. 25
1. EHB 1090 (Ortiz-Self)—Prohibiting private detention facilities. Right vote: YES (Passed 67-30, Feb. 23)

2. HB 1206 (Berry)—Establishing safety-and-health standards for temporary workers. Right vote: YES (Passed 53-44, Mar. 5)

3. HB 1076 (Hansen)—Work Pro—

4. SB 5021 (Hunt)—Protects public pensions from benefit cuts due to hour reductions/furloughs amid the pandemic. Right vote: YES (Passed 64-32, Mar. 24)

5. SB 5267 (Saldaña)—Requiring licensing for electrical work. Right vote: YES (Passed 61-36, Mar. 28)

6. SB 5115 (Keiser)—Creates an occupational disease presumption during a public health emergency for frontline employees. Right vote: YES (Passed 68-30, Apr. 5)

7. SB 5284 (Randall)—Eliminating subminimum wage for persons with disabilities. Right vote: YES (Passed 75-23, Apr. 5)

8. SB 5097 (Robinson)—Expands definition of a family member for paid family and medical leave. Right vote: YES (Passed 55-42, Apr. 6)

9. SB 5555 (Conway)—Establishing wage theft. Right vote: YES (Passed 51-46, Apr. 6)

10. SB 5051 (Pedersen)—Providing state oversight and accountability to schools’ cultural competency standards and training. Right vote: YES (Passed 57-46, Apr. 11)

11. SB 5133 (Conway)—Grants employees who assist the assistant attorneys general of the Tort Division collective bargaining rights. Right vote: YES (Passed 64-34, Apr. 8)

12. SB 5190 (Holy)—Providing public health care workers with presumptive benefits during a public health emergency. Right vote: YES (Passed 84-14, Apr. 8)

13. SB 5172 (King)—Providing over—

14. SB 5141 (Saldaña)—The HEAL Act enacting the recommendations of the environmental justice task force. Right vote: YES (Passed 56-41, Apr. 10)

15. SB 5044 (Das)—Adds equity, diversity, inclusion and anti-racism to schools’ cultural competency standards and training. Right vote: YES (Passed 57-46, Apr. 11)

16. HB 1073 (Berry)—Grants paid family and medical leave to certain workers currently denied it due to insufficient hours worked. Right vote: YES (Passed 56-42, Apr. 13)

17. HB 1907 (Sells)—Protects workers who identify safety concerns to employer retaliation or intimidation. Right vote: YES (Passed 53-45, Apr. 13)

18. HB 1272 (Mcari)—Improving transparency at hospitals and health-care facilities. Right vote: YES (Passed 57-41, Apr. 13)

19. SB 5096 (Robinson)—Establishing a state tax on extraordinary capital gains. Right vote: YES (Passed 52-44, Apr. 24)
Bargaining rights extended to more in the AG’s office

By DEANNA EAGLE

The Legislature adopted SB 5133, sponsored by Sen. Steve Conway (D-Tacoma), to extend collective bargaining rights to about 90 professional staff of the Torts Division in the Attorney General’s Office (AGO). (The Torts Division is where the Legislature granted collective bargaining rights to Assistant Attorneys General in the AGO. The AGOs are “exempt” employees under state law, which previously precluded them from collective bargaining law. Upon passage of this bill, the AAGs organized their unit and now 500 new state employees enjoy the benefits of union membership.

Following the victories of the AAGs, the professional staff in the AGO moved to form their own bargaining unit. They have organized themselves, been collecting membership cards, and have filed with PERC for recognition.

During the course of their efforts, they discovered an arcane state law that prohibited state employees from joining their peers in this effort. SB 5133 corrects this oversight, and now about 600 more workers in the AGO office will soon be able to enjoy the benefits of union membership.

Research shows that greater union density lifts wages and benefits for all workers, lessens income inequality, and creates pathways to the middle class for underrepresented workers. Creating opportunities for more workers to join the labor movement is a critical priority for policymakers and union members supporting greater economic and social justice. SB 5133 is the latest example of how we can support these goals through legislation, and we should commit ourselves to building on our recent successes.

Attorney General Bob Ferguson and the Legislature have supported AGO staff every step of the way, and soon the entire agency will be represented. But the current law left many workers for themselves who have organized themselves, collected cards, worked through appliable laws, and negotiated at the bargaining table. They are empowered and energized, and will be a great addition to the movement.

LEGISLATIVE BRIEFS

‘Wage liens’ help workers get what they’ve earned

Since 1854, in cases of wage theft, construction workers in Washington have had the right to put a lien on property on which they worked. A lien provides notice to the property owner and all prospective buyers that there is a debt due. This year, Columbia Legal Services and organized labor made a strong push to make this tool available to all workers in Washington who have their wages unlawfully withheld. Since 2006, the state Department of Labor and Industries has cited employers for $33.5 million in wages owed and collected another $25.5 million in pre-citation settlements, but $18.6 million—almost 45% of its cited wages—have gone uncollected. And cases in the Labor and Industries division represent only a small fraction of the wage theft actually occurring in the state.

SB 5355, the Washington Wage Recovery Act sponsored by Sen. Steve Conway (D-Tacoma), lets workers who are owed wages put liens on certain property of their employers and property they work on. This puts a new tool in the hands of workers in nearly all industries, including those most vulnerable to wage theft, like janitorial, retail, and landscape maintenance.

This bill is also important for equity because wage theft disproportionately affects women, people of color and immigrants, widening already serious economic gaps.

Amid fierce opposition from corporate lobbying groups, SB 5355 passed the Senate by 34-24; the House 51-46, and was signed into law by Gov. Inslee.

Tax break includes accountability on jobs

Machineists District 751 and the Stomohish and Island County Labor Council scored a win with the passage of legislation they supported to expand a local property tax exemption for building industrial and manufacturing facilities. This tax break was originally created after the Oso mudslide to help the surrounding communities rebuild and create family-wage jobs.

Rep. Emily Wicks (D-Everett) sponsored HB 1386 to expand this tax break, which also raises the wage standard to qualify for the break from $18 up to $23 per hour. Importantly, Wicks included tax credits for employers who increase minority language capacity that requires employers that get this tax break to maintain those family-wage jobs or else they not only lose the tax break, they have to pay back taxes. This is an editorial in The (Everett) Herald backing the bill: “Note to Wicks’ fellow state lawmakers: The next time they consider a tax break for Boeing, include Wicks on the negotiation team.”

Access to paid family leave improved

Along with unemployment insurance, Washington’s Paid Family and Medical Leave Insurance program is a critical feature of our social safety net for working families. Both were critical in helping keep people’s heads above water during the pandemic shutdown of our economy—but only when people were able to get their claims processed. Restrictive definitions of a family member, and lost work hours due to shutdown closures denied PFMLI for too many workers this year when they needed it the most.

Two policy changes were approved to make PFMLI more equitably accessible:

- HB 1073, sponsored by Rep. Liz Berry (D-Seattle), allows workers impacted by COVID layoffs to qualify for PFMLI based on prior earnings, not just $18 per hour work.
- SB 5097, sponsored by Sen. June Robinson (D-Everett), expands the definition of family to include others with a close relationship who depend on an employee for care, especially important for BIPOC and LGBTQ workers and their families.

Both passed and were signed by Gov. Inslee.

Tenants win right to counsel, other protections

GOOD LITTLE BILLS

Not every bill the Legislature passes grabs headlines, but a lot can be accomplished with these “good little bills” and 2021 had its share:
- SB 5356 (Sen. Shelley Short) Public Works/Bidding—Fulfills the promise made by 2020’s important Bid Listing bill for public works by cor- recting a one-word omission to ensure that bids on public works projects are managed fairly.
- SB 5267 (Sen. Rebecca Saldana) House Flippers/Electrical—Requires that electrical work in “flipped” houses be done by licensed electricians, closing the home-owner loophole in certain limited circumstances.
- SB 5284 (Sen. Emily Randall) Subminimum Wage/Disability—Ends the practice of employers paying less than the minimum state wage to workers with disabilities.
- SB 3853 (Sen. Karen Keiser) Municipal Airports—Adjusts the definition of certain airports for purposes of protecting important minimum wage standards established by neighboring cities.
- HB 1022 (Rep. Drew MacEwen) Horse Racing Commission—Gives the horse racing commis- sion temporary flexibility to use certain state funds to sustain its work, a necessity given the loss of the agency’s revenue due to the pandemic.

“...I believe it’s another step towards declaring Washing- ton state as an anti-racist state, which leads to recon- ciliation, healing, and true inclusion,” Morgan said.

Racism in health care

Racism and bias in health care have created real, lasting damage to human lives, to communities and to trust in the medical system. SB 5229, sponsored by Sen. Emily Randall (D-Bremerton), ensures that all licensed healthcare workers will receive health equity continu- ing education. It will provide knowledge and skills for equity within their scopes of practice and challenge sys- temic racism and other forms of discrimination.

By LAUREL POPLACK

During the COVID-19 pandemic, researchers esti- mated that up to 40 percent of renters would not be able to pay their rent once the statewide eviction ban was lifted.

With these renters facing the loss of their housing, the Legis- lature approved SB 5160, which made Washington the first state in the country to establish a state-wide right to counsel for low-income tenants facing eviction.

Sponsored by Sen. Patty Kae- dler (D-Bellington), the tenant protection will help keep people housed and decrease the likelihood of eviction, which is the leading cause of houselessness in the United States. The bill also established the tenants’ right to a payment plan and protection against eviction and employment discrimination during the pandemic. This policy was built on years of ground- work from community organizations, organizers, and Rep. Nicole Macri (D-Seattle).

“...scary to stand up to landlords. They can make us homeless,” said Tarra Villabila of the Bell- ingham Tenants Union at a SB 5160 hearing. “Access to legal aid would change this imbalance of power.”

After passing the Senate, SB 5160 was approved by the House with bipartisan support, and was signed into law by Gov. Jay Inslee on April 22.

Laurel Poplack was the WSLC’s Legislative Intern.
In addition to urgent pandemic-related legislation, the 2021 Legislature also set out to address the mounting threat of climate change. The WSLC’s affiliated unions were part of a robust transportation package.

Two climate policies of particular significance were the Climate Commitment Act (CCA) which imposes a firm and declining pathway to meet the Healthy Environment for All Act (HEAL Act). This legislation addresses the disproportionate exposure to environmental harms suffered by Black, Indigenous, and people of color, along with low-income communities across Washington, putting them at higher risk of adverse health outcomes. The HEAL Act, sponsored by Sen. Rebecca Saldaña (D-Seattle), directs state agencies on how to incorporate environmental justice principles to reduce health disparities when implementing policies and programs. Environmental justice is the fair treatment and meaningful involvement of all people, regardless of race, color, national origin, or income, with respect to development and enforcement of environmental laws.

The CCA will invest a minimum of $7 billion by 2037 and $59 billion operating budget for 2021-23. The Clean Fuel Standard (CFS) will require reductions in the carbon intensity of transportation fuels by 2038. It will reduce greenhouse gas emissions in oil refining and extraction and promote alternatives like biofuels, electricity, hydrogen and renewable natural gas. Utilities will invest nearly $1.5 billion in alternative fuel deployment by 2030, including electrification projects and wildlife reduction, and more. Investment funded under CCA and CFS includes major projects that meet high labor standards.

Major climate action, but Inslee vetoes draw ire

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By JOE KENDO

At the 2020 Convention of the Washington State Labor Council, AFL-CIO, delegates approved Resolution 18 in support of policing reform, and for good reason. The resolution quotes WSLC Secretary Treasurer April Sims, who said: “Policing in America is too often violence, disproportionately directed at Black communities. There are clear systemic causes leading to the hyper-policing of Black bodies. We are not experiencing mass psychosis affecting police departments across the U.S. Rather, this police violence, primarily targeting Black Americans, is the system of policing operating as designed.”

The resolution tasks the WSLC with supporting reforms to policing that make the system accountable to the communities it is supposed to serve, while also upholding core labor values like collective bargaining. While the work is incomplete, the 2021 session was largely successful with several significant reforms that the WSLC supported being signed into law.

This work would not have been accomplished had it not been for the families of victims of police violence who led community organizations in the Coalition for Police Accountability. They challenged legislators, police departments, and the labor movement to face the real harm many of our laws cause by perpetuating a system of policing that is racist, and is rarely held accountable for any but the most egregious violations of people’s rights, particularly those of Black people.

Gov. Jay Inslee signed 12 bills to reform these systems, addressed use of force and tactics, data tracking and records coordination, independent investigations of excessive use of force, and a new system of police training, certification and decertification under a reformed Criminal Justice Training Commission.

Gov. Inslee signed one bill to address accountability for police, SB 5353 (Rep. Steve Conway) —Creating a part-time model that facilitates community engagement with law enforcement.

Gov. Inslee signed another bill with the police reform agenda was robust, it is far from complete. Many U.S. institutions were built on racist foundations and our national reckoning with that reality has lasted as long as the republic itself. Policings’ role in perpetuating that legacy, and it will take time to unravel it—time and vigilance. As these laws are implemented, and as the lived experience of people subject to policing is revealed, we must reassess them to meet the needs of the people of Washington, the need to be protected and safe, and the need to secure the rights of those who have had them denied.

Each odd-numbered year the Legislature approves a biennial budget, which raises the revenue and directs the spending that serves the people of Washington. This year, buoyed by billions in aid from the federal government, as well as additional revenue from such sources as the new tax on extraordinary capital gains, the operating budget was over $59 billion for 2021-2023 fiscal biennium.

“It has been a roller coaster of a year for communities across the state. This budget reflects the sacrifices so many have made to support Washington’s recovery, a period that strengthens our resolve to reinforce our values. No matter your background or how much you earn, we will be there for you and help the hardest hit by this pandemic recovery,” said House Appropriations Chair Timm Ormsby (D-Spokane), who worked closely with Senate Ways and Means Chair Christine Dolan (D-Bainbridge Is.) on the budget.

These resources provide compensation for public employees, health care for those who cannot access it, K-12 basic education and higher education programs, workplace wage and safety enforcement, public safety, paid family and medical leave, public health, and a litany of other public services.

Here is a sample of the programs funded by the Legislature this year:

* State Employee Collective Bargaining Agreements ratified and fully funded.
* $340 million in immigrant relief funds for those disqualified from UI benefits.
* $70 million for UI customer service improvements and fraud prevention.
* $638 million in rental assistance.
* $233 million to discontinue state employee furloughs.
* $261 million to fund the Working Families Tax Rebate.
* $172 million for temporary paid family leave insurance eligibility expansion for those short of qualifying work hours.
* $50 million to support UW and WSU married students.
* $10 million for CTC job skills programs.
* $151 million for K-12 transportation.
* $125 million for Higher Education Guided Pathways program.
* $16.1 million to make access to higher education more equitable.
* $125 million for Behavioral Health provider rate increase.

Further, Congress passed the American Rescue Plan Act in March 2021, allocating the following resources in either the current biennium, or the next:

* Coronavirus State Fiscal Recovery: $2.25 billion to invest in infrastructure, replace lost revenue due to pandemic, and other pandemic related spending.
* Bipartisan Care Act: $244M
* Childcare Stabilization: $391 million
* Housing & Utility Assistance: $404M.