

SUBJECT: Comments on Washington Paid Leave Proposed Regulations

CHAPTER 192-520 WAC COLLECTIVE BARGAINING AGREEMENTS

New Section WAC 192-520-010 Parties to collective bargaining agreements

Under number 4, it states that “if the employee’s qualifying period includes any quarter prior to a collective bargaining agreement being reopened” then the department would request the employee’s wages and hours from their employer during the qualifying period. If possible, both for this rule and other rules pertaining to the paid medical and family leave program, verification with employers of reported wage and work hours should be minimal, so as to reduce the amount of information needed from employers and to decrease claim processing times. Reducing employer burden is especially critical for small businesses with limited capacity to verify past employees’ wage and hour history. One strategy currently being used by other states with paid family leave laws in place is the implementation of data sharing agreements between departments (e.g., unemployment, tax) that allow for cross-checking the employee’s reported wage and hour history; this process also increases the overall efficiency of state programs by automating verification procedures. If such data sharing agreements are either already in place or require minimal effort on the part of the relevant state agencies to implement, we recommend that the language in this rule be revised so that verification with employers be an optional, rather than required, aspect of the verification procedures, both for the population affected by this specific rule as well as those affected by other aspects of this law.

CHAPTER 192-530 WAC VOLUNTARY PLANS

WAC 192-530-060 What happens at the end of a voluntary plan?

This section should include employee notification requirements or a reference to employee notification requirements if contained in other portions of the law. If an employer withdraws from a voluntary plan, they should not only notify the department of withdrawal, but also their employees of any change in benefits, wage withholding, and rights related to the employer’s withdrawal.

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