

# Multiple Agency Fiscal Note Summary

<b>Bill Number:</b> 1095 HB	<b>Title:</b> Wage replacement
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## Estimated Cash Receipts

Agency Name	2023-25			2025-27			2027-29		
	GF-State	NGF-Outlook	Total	GF-State	NGF-Outlook	Total	GF-State	NGF-Outlook	Total
Office of Attorney General	0	0	540,000	0	0	405,000	0	0	270,000
Office of Administrative Hearings	0	0	0	0	0	819,000	0	0	1,092,000
<b>Total \$</b>	<b>0</b>	<b>0</b>	<b>540,000</b>	<b>0</b>	<b>0</b>	<b>1,224,000</b>	<b>0</b>	<b>0</b>	<b>1,362,000</b>

## Estimated Operating Expenditures

Agency Name	2023-25				2025-27				2027-29			
	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total
Commission on Asian Pacific American Affairs	.0	0	0	0	.0	0	0	0	.0	0	0	0
Office of Attorney General	1.8	0	0	540,000	1.3	0	0	405,000	.9	0	0	270,000
Office of Administrative Hearings	.0	0	0	0	3.3	0	0	819,000	3.8	0	0	1,092,000
Commission on Hispanic Affairs	.0	0	0	0	.0	0	0	0	.0	0	0	0
Commission on African-American Affairs	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Enterprise Services	.0	0	0	0	.0	0	0	0	.0	0	0	0
Employment Security Department	23.6	0	0	8,386,555	46.0	0	0	99,159,558	43.8	0	0	140,485,751
<b>Total \$</b>	<b>25.4</b>	<b>0</b>	<b>0</b>	<b>8,926,555</b>	<b>50.6</b>	<b>0</b>	<b>0</b>	<b>100,383,558</b>	<b>48.5</b>	<b>0</b>	<b>0</b>	<b>141,847,751</b>

## Estimated Capital Budget Expenditures

Agency Name	2023-25			2025-27			2027-29		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Commission on Asian Pacific American Affairs	.0	0	0	.0	0	0	.0	0	0
Office of Attorney General	.0	0	0	.0	0	0	.0	0	0
Office of Administrative Hearings	.0	0	0	.0	0	0	.0	0	0
Commission on Hispanic Affairs	.0	0	0	.0	0	0	.0	0	0
Commission on African-American Affairs	.0	0	0	.0	0	0	.0	0	0
Department of Enterprise Services	.0	0	0	.0	0	0	.0	0	0
Employment Security Department	.0	0	0	.0	0	0	.0	0	0
<b>Total \$</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>

## Estimated Capital Budget Breakout

<b>Prepared by:</b> Anna Minor, OFM	<b>Phone:</b> (360) 790-2951	<b>Date Published:</b> Final
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# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1095 HB	<b>Title:</b> Wage replacement	<b>Agency:</b> 087-Commission on Asian Pacific American Affairs
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## Part I: Estimates

**No Fiscal Impact**

**Estimated Cash Receipts to:**

NONE

**Estimated Operating Expenditures from:**

NONE

**Estimated Capital Budget Impact:**

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Meghan Arbuckle	Phone: 360-786-7144	Date: 01/06/2023
Agency Preparation: Lisa Piper	Phone: 3605843009	Date: 01/10/2023
Agency Approval: Lisa Piper	Phone: 3605843009	Date: 01/10/2023
OFM Review: Amy Hatfield	Phone: (360) 000-0000	Date: 01/11/2023

## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

*Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.*

The purpose of this bill is to create a wage replacement program for certain Washingtonians excluded from unemployment insurance. This bill amends RCW 42.56.410 and Title 50C RCW.

Section 1 (4) creates a wage replacement program similar to the state and federal unemployment insurance program for workers who are unemployed and not eligible for the state and federal unemployment insurance.

Section 4 (d) indicates that the Commission on Asian Pacific American Affairs must be appointed as a member to an advisory committee to review issues and topics of interest related to Title 50C RCW.

Section 4 (4) indicates that advisory committee members are eligible for reimbursement of travel expenses as provided in RCW 43.03.050 and 43.03.060, and for stipends provided by the department under RCW 43.03.220. The advisory committee may utilize such personnel and facilities of the department as it needs, without charge. All expenses of the advisory committee must be paid by the Washington wage replacement account created in section 3 of this act.

The lead agency assumes that the committee would meet for two hours, once per month, beginning in July 2023. If a Commission on Asian Pacific American Affairs commissioner or volunteer participates in these meetings, this would equate to a lived experience stipend cost of \$90/month for virtual meetings. If the meetings were held in person, the stipend cost would be greater and travel costs would also be incurred. Since Section 4 (4) outlines that the wage replacement account created under section 3 of this bill would pay for the travel and stipend costs of the advisory committee, there is no fiscal impact to Commission on Asian Pacific American Affairs' budget.

### II. B - Cash receipts Impact

*Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.*

### II. C - Expenditures

*Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.*

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

NONE

### III. B - Expenditures by Object Or Purpose

NONE

**III. C - Operating FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

### III. D - Expenditures By Program (optional)

NONE

## **Part IV: Capital Budget Impact**

### **IV. A - Capital Budget Expenditures**

NONE

### **IV. B - Expenditures by Object Or Purpose**

NONE

### **IV. C - Capital Budget Breakout**

*Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.*

NONE

### **IV. D - Capital FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

## **Part V: New Rule Making Required**

*Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.*

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1095 HB	<b>Title:</b> Wage replacement	<b>Agency:</b> 100-Office of Attorney General
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## Part I: Estimates

No Fiscal Impact

### Estimated Cash Receipts to:

ACCOUNT	FY 2024	FY 2025	2023-25	2025-27	2027-29
Legal Services Revolving Account-State 405-1	270,000	270,000	540,000	405,000	270,000
<b>Total \$</b>	270,000	270,000	540,000	405,000	270,000

### Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	1.8	1.8	1.8	1.3	0.9
<b>Account</b>					
Legal Services Revolving Account-State 405-1	270,000	270,000	540,000	405,000	270,000
<b>Total \$</b>	270,000	270,000	540,000	405,000	270,000

### Estimated Capital Budget Impact:

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Meghan Arbuckle	Phone: 360-786-7144	Date: 01/06/2023
Agency Preparation: Dave Merchant	Phone: 360-753-1620	Date: 01/11/2023
Agency Approval: Joe Zawislak	Phone: 360-586-3003	Date: 01/11/2023
OFM Review: Cheri Keller	Phone: (360) 584-2207	Date: 01/11/2023

## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

*Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.*

This bill is assumed effective 90 days after the end of the 2023 legislative session.

Section 1 – Intent. Immigrant workers not eligible for unemployment insurance. Pandemic showed need for support.

Section 2 – Definitions (Resident means claimant who intends to live in Washington State).

Section 3 – Account created.

Section 4 – Advisory Committee Created which includes 11 members: one chair, three representing immigrants, two representing workers, two representing employers, three ex officio members (African American Affairs, Hispanic Affairs, APA Affairs).

Section 5 – Beginning January 1, 2026 eligibility to apply for benefits.

Section 6 – Process and eligibility requirements.

Section 7 – Continuing eligibility for benefits – seeking work, etc.

Section 8 – Benefit amount.

Section 9 – Reconsideration.

Section 10 – Denial and notice.

Section 11 – Disqualification.

Section 12 – Benefits limited by account balance.

Section 13-16 – Privacy (cannot be used for immigration purposes, etc.; new restrictions on the Employment Security Department; amends RCW 42.56.410)

Section 17 – Must create procedure for processing and review.

Section 18 – Must create procedures to prevent fraud, allow reporting of errors.

Section 19-27 – Miscellaneous Provisions (rulemaking required, cannot assign, lien, levy benefits).

### II. B - Cash receipts Impact

*Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.*

Cash receipts are assumed to equal the Legal Services Revolving Account (LSRA) cost estimates. These will be billed through the revolving account to the client agency.

The client agency is the Employment Security Department (ESD). The Attorney General's Office (AGO) will bill the client for legal services rendered.

These cash receipts represent the AGO's authority to bill and are not a direct appropriation to the AGO. The direct appropriation is reflected in the client agency's fiscal note. Appropriation authority is necessary in the AGO budget.

#### AGO AGENCY ASSUMPTIONS:

ESD will be billed for Seattle rates:

FY 2024 – FY 2026: \$270,000 for 1.0 Assistant Attorney General (AAG) and 0.5 Legal Assistant 3 (LA).

FY 2027: \$135,000 for 0.5 AAG and 0.25 LA in each FY thereafter.

#### II. C - Expenditures

*Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.*

#### Attorney General's Office (AGO) Agency Assumptions:

This bill is assumed effective 90 days after the end of the 2023 legislative session.

Location of staffing housed is assumed to be in a Seattle office building.

Total workload impact in this request includes standard assumption costs for goods & services, travel, and capital outlays for all FTE identified.

Agency administration support FTE are included in the tables, for every 1.0 FTE Assistant Attorney General (AAG), the AGO includes 0.5 FTE for a Legal Assistant 3 (LA) and 0.25 FTE of a Management Analyst 5 (MA). The MA is used as a representative classification.

Assumptions for the AGO Licensing & Administrative Law Division (LAL) Legal Services for the Employment Security Department (ESD).

The AGO will bill ESD for legal services based on the enactment of this bill.

The bill creates a new statewide benefit program, requiring advice and litigation services.

Advice includes assistance with comprehensive and extensive rulemaking; advice on statutory and regulatory interpretations and funding and federal law limitations; review of further legislative changes; aiding with contract and procurement issues for technology, communications, and more—including on bid processes, selection, negotiations, change orders, and contract performance management); developing operational and adjudicative processes; reviewing significant program communications for internal and external audiences; training adjudicative and administrative tribunal staff; developing resources on recurring legal issues for increased efficiency in claims adjudication and administrative litigation; advice on data sharing and public records issues, and on coordination with other programs.

Advice on open meetings issues with respect to program-related committees.

Advice on federal tax issues and required reporting, coordinating as needed with Special Assistant Attorneys General.

Advice on human resources issues with respect to agency employees.

Litigation will include defending the agency and its officials in public records and other original court actions, and representation in any judicial reviews of final agency orders—in all superior and appellate courts, and when requested, in administrative tribunals.

It is anticipated that greater advice needs will be present in the first six months of FY26, preparing for the benefits launch on January 1, 2026 (see Sec. 5). After launch, advice needs will decrease.

ESD: Total Seattle workload impact:

FY 2024 – FY 2026: \$270,000 for 1.0 AAG and 0.5 LA.

FY 2027: \$135,000 for 0.5 AAG and 0.25 LA in each FY thereafter.

The AGO Administrative Division, and the AGO Transportation and Public Construction Division have reviewed this bill and determined it will not significantly increase or decrease either division’s workload.

**Part III: Expenditure Detail**

**III. A - Operating Budget Expenditures**

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
405-1	Legal Services Revolving Account	State	270,000	270,000	540,000	405,000	270,000
<b>Total \$</b>			270,000	270,000	540,000	405,000	270,000

**III. B - Expenditures by Object Or Purpose**

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	1.8	1.8	1.8	1.3	0.9
A-Salaries and Wages	181,000	181,000	362,000	271,000	180,000
B-Employee Benefits	57,000	57,000	114,000	86,000	58,000
E-Goods and Other Services	30,000	30,000	60,000	45,000	30,000
G-Travel	2,000	2,000	4,000	3,000	2,000
<b>Total \$</b>	270,000	270,000	540,000	405,000	270,000

**III. C - Operating FTE Detail:** *List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA*

Job Classification	Salary	FY 2024	FY 2025	2023-25	2025-27	2027-29
Assistant Attorney General-Seattle	124,635	1.0	1.0	1.0	0.8	0.5
Legal Assistant 3-Seattle	67,044	0.5	0.5	0.5	0.4	0.3
Management Analyst 5	91,524	0.3	0.3	0.3	0.2	0.1
<b>Total FTEs</b>		1.8	1.8	1.8	1.3	0.9

**III. D - Expenditures By Program (optional)**

Program	FY 2024	FY 2025	2023-25	2025-27	2027-29
Licensing & Administrative Law Division (LAL)	270,000	270,000	540,000	405,000	270,000
<b>Total \$</b>	270,000	270,000	540,000	405,000	270,000

**Part IV: Capital Budget Impact**

**IV. A - Capital Budget Expenditures**

NONE

**IV. B - Expenditures by Object Or Purpose**

NONE

**IV. C - Capital Budget Breakout**

*Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.*

NONE

**IV. D - Capital FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

None

## **Part V: New Rule Making Required**

*Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.*

# Individual State Agency Fiscal Note

Revised

<b>Bill Number:</b> 1095 HB	<b>Title:</b> Wage replacement	<b>Agency:</b> 110-Office of Administrative Hearings
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## Part I: Estimates

No Fiscal Impact

### Estimated Cash Receipts to:

ACCOUNT	FY 2024	FY 2025	2023-25	2025-27	2027-29
Administrative Hearings Revolving Account-State 484-1				819,000	1,092,000
<b>Total \$</b>				819,000	1,092,000

### Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.0	0.0	0.0	3.3	3.8
<b>Account</b>					
Administrative Hearings Revolving Account-State 484-1	0	0	0	819,000	1,092,000
<b>Total \$</b>	0	0	0	819,000	1,092,000

### Estimated Capital Budget Impact:

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

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- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Meghan Arbuckle	Phone: 360-786-7144	Date: 01/06/2023
Agency Preparation: Pete Boeckel	Phone: 360-407-2730	Date: 01/17/2023
Agency Approval: Deborah Feinstein	Phone: 360-407-2717	Date: 01/17/2023
OFM Review: Cheri Keller	Phone: (360) 584-2207	Date: 01/17/2023

## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

*Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.*

Section 9 and Section 11 identify program appeal eligibility. The proposed legislation provides that the Employment Security Department (ESD) must establish an appeals process “comparable to the provisions of Chapter 50.32 RCW”. Accordingly, both claimants and employers will have the right to appeal determinations made by ESD pursuant to this bill. These appeals will be heard by the Office of Administrative Hearings (OAH).

This bill is assumed effective 90 days after the end of the 2023 legislative session.

### II. B - Cash receipts Impact

*Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.*

As a central service agency, OAH bills referring agencies for its costs and collects the revenue into the Administrative Hearings Revolving Account. Cash receipts are assumed to equal costs. OAH will bill the Employment Security Department (ESD) for the costs related to this proposed legislation.

These cash receipts represent the OAH’s authority to bill and are not a direct appropriation to OAH. Appropriation authority is necessary in OAH’s budget.

### II. C - Expenditures

*Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.*

The Employment Security Department (ESD) estimates that the proposed legislation will result in 1,596 new appeals being referred to OAH per Calendar Year beginning in 2026. On average, each appeal is expected to take approximately 1.65 hours of line Administrative Law Judge (ALJ) time including prehearing conferences, hearings, order writings, etc.

Office of Administrative Hearings (OAH) Agency Workforce Assumptions:

- (1) The Governors proposed COLA increases in FY2024 and FY2025, and Collective Bargaining Agreement increases are not included in agency cost projections. Additional funding is required if these proposals are enacted.
- (2) Ratio of 1.0 FTE line ALJ to 0.15 Senior ALJ (SALJ), to 0.6 Legal Assistant 2 (LA2) (Range 40 step L), to 0.25 administrative support Management Analyst 5 (MA5) (Range 64 Step L).
- (3) ALJ salary is based on the ALJ collective bargaining agreement and assumed to be at step L. (Line ALJ-range 70. Senior ALJ-range 74.)
- (4) Benefit rates were analyzed by job class and projected using the latest benefit information available.
- (5) Goods and services, travel and on-going capital outlays were projected based on historical data for each of the job classifications.

Total workload:

FY 2026: 0.94 ALF at a cost of \$157,000; 0.14 Senior ALJ at a cost of \$25,000; 0.56 LA2 at a cost of \$56,000; 0.24 MA5 at a cost of \$35,000. Total cost: \$273,000.

FY 2027: 1.88 ALJ at a cost of \$312,000; 0.28 SALJ at a cost of \$51,000; 1.13 LA2 at a cost of \$113,000; 0.47 MA5 at a cost of \$70,000. Total cost: \$546,000 per FY.

This bill is assumed effective 90 days after the end of the 2023 legislative session.

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
484-1	Administrative Hearings Revolving Account	State	0	0	0	819,000	1,092,000
<b>Total \$</b>			0	0	0	819,000	1,092,000

### III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years				3.3	3.8
A-Salaries and Wages				499,000	666,000
B-Employee Benefits				166,000	222,000
C-Professional Service Contracts					
E-Goods and Other Services				142,000	188,000
G-Travel				5,000	6,000
J-Capital Outlays				7,000	10,000
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-					
<b>Total \$</b>	0	0	0	819,000	1,092,000

### III. C - Operating FTE Detail: *List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA*

Job Classification	Salary	FY 2024	FY 2025	2023-25	2025-27	2027-29
Administrative Law Judge	106,152				1.9	1.9
Legal Assistant 2	50,592				0.9	1.1
Management Analyst 5	91,524				0.4	0.5
Senior Administrative Law Judge	117,168				0.2	0.3
<b>Total FTEs</b>					3.3	3.8

### III. D - Expenditures By Program (optional)

Program	FY 2024	FY 2025	2023-25	2025-27	2027-29
Unemployment Insurance (UI)				819,000	1,092,000
<b>Total \$</b>				819,000	1,092,000

## Part IV: Capital Budget Impact

### IV. A - Capital Budget Expenditures

NONE

### IV. B - Expenditures by Object Or Purpose

NONE

### IV. C - Capital Budget Breakout

*Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.*

NONE

**IV. D - Capital FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

## **Part V: New Rule Making Required**

*Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.*

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1095 HB	<b>Title:</b> Wage replacement	<b>Agency:</b> 118-Commission on Hispanic Affairs
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## Part I: Estimates

**No Fiscal Impact**

**Estimated Cash Receipts to:**

NONE

**Estimated Operating Expenditures from:**

NONE

**Estimated Capital Budget Impact:**

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Meghan Arbuckle	Phone: 360-786-7144	Date: 01/06/2023
Agency Preparation: Paul Bitar	Phone: 360-407-8129	Date: 01/10/2023
Agency Approval: Paul Bitar	Phone: 360-407-8129	Date: 01/10/2023
OFM Review: Amy Hatfield	Phone: (360) 000-0000	Date: 01/10/2023

## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

*Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.*

This bill would require a representative of CHA to take part in an advisory committee that would review issues related to the establishment of a wage replacement program for certain Washington workers excluded from unemployment insurance.

The lead agency assumes that the committee would meet for two hours, once per month, beginning in July 2023. If a CHA commissioner or volunteer participates in these meetings, this would equate to a lived experience stipend cost of \$90/month for virtual meetings. If the meetings were held in person, the stipend cost would be greater and travel costs would also be incurred.

Section 4(4) of the bill states that the wage replacement account created under section 3 of this bill would pay for the travel and stipend costs of the advisory committee, so CHA does not expect any direct impact to its budget.

### II. B - Cash receipts Impact

*Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.*

### II. C - Expenditures

*Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.*

Stipend Expense = \$45/hr x 2 hours per month x 12 meetings per year = \$1,080/year

Travel Expense = unknown; depends on whether meetings are held virtually or in person

Total Cost = At least \$1,080/year

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

NONE

### III. B - Expenditures by Object Or Purpose

NONE

**III. C - Operating FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

### III. D - Expenditures By Program (optional)

NONE

## Part IV: Capital Budget Impact

### IV. A - Capital Budget Expenditures

NONE

### IV. B - Expenditures by Object Or Purpose

NONE

**IV. C - Capital Budget Breakout**

*Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.*

NONE

**IV. D - Capital FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

**Part V: New Rule Making Required**

*Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.*

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1095 HB	<b>Title:</b> Wage replacement	<b>Agency:</b> 119-Commission on African-American Affairs
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## Part I: Estimates

**No Fiscal Impact**

**Estimated Cash Receipts to:**

NONE

**Estimated Operating Expenditures from:**

NONE

**Estimated Capital Budget Impact:**

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Meghan Arbuckle	Phone: 360-786-7144	Date: 01/06/2023
Agency Preparation: Paul Bitar	Phone: 360-407-8129	Date: 01/10/2023
Agency Approval: Paul Bitar	Phone: 360-407-8129	Date: 01/10/2023
OFM Review: Amy Hatfield	Phone: (360) 000-0000	Date: 01/10/2023

## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

*Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.*

This bill would require a representative of CAAA to take part in an advisory committee that would review issues related to the establishment of a wage replacement program for certain Washington workers excluded from unemployment insurance.

The lead agency assumes that the committee would meet for two hours, once per month, beginning in July 2023. If a CAAA commissioner or volunteer participates in these meetings, this would equate to a lived experience stipend cost of \$90/month for virtual meetings. If the meetings were held in person, the stipend cost would be greater and travel costs would also be incurred.

Section 4(4) of the bill states that the wage replacement account created under section 3 of this bill would pay for the travel and stipend costs of the advisory committee, so CAAA does not expect any direct impact to its budget.

### II. B - Cash receipts Impact

*Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.*

### II. C - Expenditures

*Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.*

Stipend Expense = \$45/hr x 2 hours per month x 12 meetings per year = \$1,080/year

Travel Expense = unknown; depends on whether meetings are held virtually or in person

Total Cost = At least \$1,080/year

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

NONE

### III. B - Expenditures by Object Or Purpose

NONE

**III. C - Operating FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

### III. D - Expenditures By Program (optional)

NONE

## Part IV: Capital Budget Impact

### IV. A - Capital Budget Expenditures

NONE

**IV. B - Expenditures by Object Or Purpose**

NONE

**IV. C - Capital Budget Breakout**

*Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.*

NONE

**IV. D - Capital FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

**Part V: New Rule Making Required**

*Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.*

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1095 HB	<b>Title:</b> Wage replacement	<b>Agency:</b> 179-Department of Enterprise Services
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## Part I: Estimates

**No Fiscal Impact**

**Estimated Cash Receipts to:**

NONE

**Estimated Operating Expenditures from:**

NONE

**Estimated Capital Budget Impact:**

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

<b>Legislative Contact:</b> Meghan Arbuckle	<b>Phone:</b> 360-786-7144	<b>Date:</b> 01/06/2023
<b>Agency Preparation:</b> Piper Lisa	<b>Phone:</b> 360-407-9331	<b>Date:</b> 01/09/2023
<b>Agency Approval:</b> Ashley Howard	<b>Phone:</b> (360) 407-8159	<b>Date:</b> 01/09/2023
<b>OFM Review:</b> Cheri Keller	<b>Phone:</b> (360) 584-2207	<b>Date:</b> 01/11/2023

## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

*Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.*

The purpose of this bill is to create a wage replacement program for certain Washingtonians excluded from unemployment insurance. This bill amends RCW 42.56.410 and Title 50C RCW.

Section 1 (4) creates a wage replacement program similar to the state and federal unemployment insurance program for workers who are unemployed and not eligible for the state and federal unemployment insurance.

Section 14 establishes that any information or records regarding a claimant or employing unit relating to this title must be kept confidential unless certain conditions are met.

Section 15 (7) states that carrying out the program created under this title, the Employee Security Department must establish prohibitions and safeguards against unauthorized access to, and use of, any information collected under this title by private or public entities. Department of Enterprise Services is listed as being exempt from being unauthorized to have access to confidential information relating to documents that carry out this title.

Department of Enterprise Services has safeguards in place to prohibit and safeguard confidential information; therefore, this has no fiscal impact.

### II. B - Cash receipts Impact

*Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.*

### II. C - Expenditures

*Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.*

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

NONE

### III. B - Expenditures by Object Or Purpose

NONE

**III. C - Operating FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

### III. D - Expenditures By Program (optional)

NONE

## Part IV: Capital Budget Impact

### IV. A - Capital Budget Expenditures

NONE

**IV. B - Expenditures by Object Or Purpose**

NONE

**IV. C - Capital Budget Breakout**

*Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.*

NONE

**IV. D - Capital FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

**Part V: New Rule Making Required**

*Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.*

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1095 HB	<b>Title:</b> Wage replacement	<b>Agency:</b> 540-Employment Security Department
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## Part I: Estimates

**No Fiscal Impact**

### Estimated Cash Receipts to:

NONE

### Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	21.0	26.1	23.6	46.0	43.8
<b>Account</b>					
Unemployment Compensation Administration Account-Federal 119-2	0	0	0	120,810	167,276
Washington Wage Replacement Account-State New-1	3,320,970	5,065,585	8,386,555	99,038,748	140,318,475
<b>Total \$</b>	<b>3,320,970</b>	<b>5,065,585</b>	<b>8,386,555</b>	<b>99,159,558</b>	<b>140,485,751</b>

### Estimated Capital Budget Impact:

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Meghan Arbuckle	Phone: 360-786-7144	Date: 01/06/2023
Agency Preparation: Geoff Medendorp	Phone: 360-890-3682	Date: 01/14/2023
Agency Approval: Lisa Henderson	Phone: 360-902-9291	Date: 01/14/2023
OFM Review: Anna Minor	Phone: (360) 790-2951	Date: 01/17/2023

## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

Please see attached Summary Narrative.

### II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

### II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Please see attached Operations Summary Narrative.

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
119-2	Unemployment Compensation Administration Account	Federal	0	0	0	120,810	167,276
New-1	Washington Wage Replacement Account	State	3,320,970	5,065,585	8,386,555	99,038,748	140,318,475
<b>Total \$</b>			<b>3,320,970</b>	<b>5,065,585</b>	<b>8,386,555</b>	<b>99,159,558</b>	<b>140,485,751</b>

### III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	21.0	26.1	23.6	46.0	43.8
A-Salaries and Wages	1,633,578	2,044,395	3,677,973	6,567,842	6,052,616
B-Employee Benefits	653,431	817,758	1,471,189	2,627,137	2,421,046
C-Professional Service Contracts		980,000	980,000	2,664,401	1,921,868
E-Goods and Other Services	588,148	665,413	1,253,561	2,617,795	2,689,134
G-Travel					
J-Capital Outlays					
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services				82,893,802	125,754,237
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements	445,813	558,019	1,003,832	1,788,581	1,646,850
9-					
<b>Total \$</b>	<b>3,320,970</b>	<b>5,065,585</b>	<b>8,386,555</b>	<b>99,159,558</b>	<b>140,485,751</b>

**III. C - Operating FTE Detail:** *List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA*

Job Classification	Salary	FY 2024	FY 2025	2023-25	2025-27	2027-29
Actuary 3	146,316	1.0	1.0	1.0	1.0	1.0
Administrative Assistant 3	43,800				0.2	0.2
Communications Consultant 2	51,888	1.0	1.0	1.0	1.0	1.0
Communications Consultant 3	57,324	2.0	2.0	2.0	1.5	
Communications Consultant 4	64,788	6.0	6.0	6.0	6.0	5.0
Communications Consultant 5	75,120	2.0	2.0	2.0	1.0	
Employment Security Program Coordinator 2	55,872				0.9	1.1
Executive Management Services Band 3	132,186	1.0	1.0	1.0	1.0	1.0
Fiscal Analyst 4	61,632		0.3	0.2	1.0	1.0
Fiscal Analyst 5	69,756		0.3	0.2	1.0	1.0
Forms & Records Analyst 3	51,888	1.0	1.0	1.0	1.0	1.0
Investigator 3	66,420		0.3	0.2	1.0	1.0
IT App Development - Entry	80,256		0.3	0.2	1.0	1.0
IT App Development - Journey	86,268		0.3	0.2	1.0	1.0
IT App Development - Senior / Specialist	99,864		0.3	0.2	0.7	0.5
IT Architecture - Senior / Specialist	104,868		0.2	0.1	0.2	
IT Business Analyst - Journey	86,268		0.3	0.2	0.7	0.5
IT Data Management - Senior / Specialist	95,100	1.0	1.0	1.0	1.0	1.0
IT Policy & Planning - Manager	110,088		0.3	0.2	0.7	0.5
IT Project Management - Senior / Specialist	99,864		0.3	0.2	0.3	
IT Quality Assurance - Journey	86,268		0.3	0.2	0.7	0.5
IT Quality Assurance - Senior / Specialist	95,100				0.4	0.5
Management Analyst 5	78,900		0.3	0.2	0.7	0.5
Operations Research Specialist	87,144	1.0	1.0	1.0	1.0	1.0
Program Specialist 3	60,156	1.0	1.0	1.0	1.0	1.0
Program Specialist 4	64,788	1.0	1.0	1.0	1.0	1.0
Tax Policy Specialist 3	82,896	2.0	2.0	2.0	1.9	1.5
Technical Training Consultant	68,076		0.3	0.2	0.7	0.5
Unemployment Specialist 2	44,808				0.7	0.9
Unemployment Specialist 3	48,156				4.2	5.5
Unemployment Specialist 4	53,100		1.0	0.5	7.1	8.1
Unemployment Specialist 5	55,872				1.5	2.0
Unemployment Specialist 6	58,704				1.5	2.0
Washington Management Services Band 1	86,736	1.0	1.0	1.0	1.0	
Washington Management Services Band 2	98,088		0.3	0.2	1.0	1.0
<b>Total FTEs</b>		21.0	26.1	23.6	46.0	43.8

**III. D - Expenditures By Program (optional)**

NONE

**Part IV: Capital Budget Impact**

**IV. A - Capital Budget Expenditures**

NONE

**IV. B - Expenditures by Object Or Purpose**

NONE

**IV. C - Capital Budget Breakout**

*Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.*

NONE

**IV. D - Capital FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

**Part V: New Rule Making Required**

*Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.*

Section 21 requires the Employment Security Department (ESD) to adopt rules necessary to implement this bill. Many rules will need to be created or revised in order to do so.

This bill creates an unemployment insurance (UI) benefit program and proposed Title 50C RCW, administered by the Employment Security Department (ESD), to serve undocumented workers who have been found ineligible for regular state unemployment benefits.

ESD will be unable to use federal unemployment insurance funding, due to eligibilities within this title being inconsistent with federal regulation.

Section 2 creates definitions and incorporates further definitions from 50.04 RCW. Relevant definitions for ESD are “Benefit(s)”, “Employment” and “Resident of the state of Washington”.

Section 3 creates a new “Washington wage replacement” account under the custody of the treasurer. The section also limits what funding in the new account can be used for: providing benefits, contracting with community-based organizations for outreach, and administrative expenses of the department.

Section 4 creates an advisory committee of several populations. ESD assumes that committee members will be allowed to attend virtually. ESD estimates approximately 24 hours per month needed to support the committee and will absorb the increased costs.

Section 5 states that claimants are eligible for benefits January 1, 2026 if they filed for an initial determination under Title 50 RCW, were denied based on not being authorized to work in the United States, the department invites the claimant to file under this title, and the claimant meets eligibility under section 6 and 7 of this act.

Section 6 defines the eligibility determination process for claimants. It defines required documentation and authority for the department to request additional verification. It grants authority to the department to make an eligibility determination under this title. The requirement to first submit a claim through the established process then be denied will increase the work for federally funded unemployment claim processors due to assumed higher number of overall submissions.

Section 7 defines the requirements for claimants to self-attest that they are actively seeking work. It defines what actively seeking work entails. It grants the agency the authority to conduct random audits to confirm claimant’s submission.

Section 8 defines the weekly benefit amount for claimants, which is equal to the amount calculated in RCW 50.20.120.

Section 9 restricts a claimant’s ability to appeal the determination immediately, but allows for redetermination requests within one year of the date of receiving monetary determination.

Section 10 defines the requirement for ESD to notify a claimant in writing of a denial of benefits. If ESD sets an issue to investigate the nature of a claimant’s separation from employment, ESD must notify the claimant their determination.

Section 11 defines disqualifying criteria for the claimant. The disqualifying criteria that claimants cannot be on both industrial insurance and benefits authorized under this act will require ESD to refine its data sharing agreement with the Labor and Industries Department.

Section 12 limits benefits and payables to the amount available in the Washington wage replacement account created in section 3 of this act.

Section 13 limits the releasability of certain information received by ESD from other government entities, if privacy is required by state or federal laws, or an agreement exists between ESD and the other government agency. Persons requesting confidential information provided by other governmental entities need to request the information from the sourcing entity, not from ESD.

Section 14 limits releasability of claimant information by ESD. Information of record can be released: to the claimant or authorized representative, when required by lawful court order or judicial warrant or judicial subpoena, or disclosed in a manner where the identity of the employers cannot be identified, either alone or in combination with other information.

Section 15 prohibits ESD from soliciting or determining certain categories of information from the claimant, or documenting certain categories of information. This section requires the agency to destroy records within 15 days of a claimant's written statement that they are no longer using the program. This section also dictates ESD must establish prohibitions and safeguards against unauthorized access by private or public entities.

Section 17 dictates that ESD must establish a procedure for review, hearings and appeals comparable to those of chapter 50.32 RCW, which complies with confidentiality and privacy protections of this act.

Section 18 requires ESD to create a process for claimants to notify it of payment errors, and for collection and forgiveness of overpayments, and potential fraud.

Section 19 prohibits the assignment, waiver, levy, attachment of rights to benefits of this title.

Section 21 requires ESD to adopt rules necessary to implement this bill. Many WACs will need to be revised to incorporate this title.

To implement this bill the Employment Security Department (ESD) will create a new unemployment benefit program for the benefit of undocumented workers. It will require creation of new policies, new administrative rules, new IT infrastructure, phone systems, and processing staffing.

### **Benefit Payments**

ESD used a report by the Migration Policy Institute, *Profile of the Unauthorized Population: Washington*, available at <https://www.migrationpolicy.org/data/unauthorized-immigrant-population/state/WA>. Washington, available at <https://www.migrationpolicy.org/data/unauthorized-immigrant-population/state/WA> to estimate Trust payments. This report stated that there are 240,000 undocumented workers, of which 94% are working age. It stated that 65,000 of those individuals are not in the labor force, leaving 161,000 undocumented individuals who are participating in the labor force.

The average non-seasonally adjusted unemployment from Q1 2021 was 6.5%. ESD is assuming that undocumented workers are non-seasonally adjusted unemployed at the same rate as documented workers, which in Q1 2021 was 6.5%. ESD also assumes that the percent of total undocumented unemployed workers who receive benefits is the same as documented workers, which is 50.9%. This suggests that 5,327 undocumented workers will receive benefits each year (161,000 x 6.5% unemployment rate (1Q 2021) x 50.9% reciprocity rate (1Q 2021)).

In 2021, Washington state's average annual wage was \$73,504. A regularly paid employee earning the state average annual wage would receive a weekly unemployment benefit of \$707. RCW 50.20.120 states that an individual's weekly benefit amount is calculated by averaging the two highest paid quarters in a claimant's base year, and multiplying that average by 3.85%, and then rounding the result down to the next whole dollar amount ( $\$73,504 / 4 = \$18,376$  &  $\$18,376 \times 3.85\% = \$707.48$ ). ESD is assuming undocumented workers earn annual wages of the 2020 Washington state average.

Individuals who filed claims in Washington starting in the first quarter of 2021 averaged 21 weeks of received unemployment benefit. ESD is assuming undocumented workers receive benefits for the average number of weeks as documented workers in Q1 2021.

Using these assumptions, the state would pay \$14,847 per claim ( $\$707$  per week x 21 weeks).

The estimated total is \$79,089,969 ( $\$14,847$  per claim x 5,327 benefit receiving undocumented claimants).

ESD used Q1 2021 to reconcile to a previous report submitted to Washington Legislators in 2021. At that time Q1 2021 was the most recent period available. Changes in assumed unemployment could have a significant effect on the claimant payments. For example, using 2019 average unemployment statistics would yield \$49,885,920 in annual estimated benefits per year. Using 2020 would yield \$102,206,748 estimated benefit payments per year.

As no state has created an unemployment insurance program for undocumented workers there is no direct predecessor to model maturity schedule. ESD is assuming proposed using a paid family and medical leave program implementation from California which yielded the following results:

<b>Years until Program reaches ful maturity</b>	<b>Percent of Individuals served</b>
First year of Proram (5 years until maturity)	68.058%
Second year of Proram (4 years until maturity)	73.503%
Third year of Proram (3 years until maturity)	79.383%
Fourth year of Proram (2 years until maturity)	85.734%
Fifth year of Proram (1 years until maturity)	92.593%
Sixth year of Proram (full maturity)	100.000%

The assumptions ESD made suggest that client benefits would cost the following:

Calendar Year 2026	\$53,827,051
Calendar Year 2027	\$58,133,500
Calendar Year 2028	\$62,783,990
Calendar Year 2029	\$67,806,994
Calendar Year 2030	\$73,231,775
Calendar Year 2031	\$79,089,969

Fiscal Year 2026	\$26,913,526
Fiscal Year 2027	\$55,980,276
Fiscal Year 2028	\$60,458,745
Fiscal Year 2029	\$65,295,492
Fiscal Year 2030	\$70,519,385
Fiscal Year 2031	\$76,160,872
Fiscal Year 2032	\$39,544,985

This includes no assumption for wage inflation and does not make assumption for seasonality impacts when dividing annual costs into Fiscal Years.

The Agency cannot use federal funding for most of this bill, as processing and paying unemployment benefits to undocumented workers is outside the scope of federal laws and regulations. A new state funding source would need to be identified.

The Agency assumes the request is to create a functional system, but not one that has as many features as the current unemployment insurance software system, called UTAB.

Agency Costs:

Agency one-time costs:

Communications: will create a robust, multi-lingual communication effort including contracting with external vendors for marketing.

Communication Staff Costs:

Washington Management Services Band 1 – will oversee the communications effort of the team. (FY24 – FY27: 1.0 FTE, \$163,346 per year)

Communications Consultant 5 – will create communication media in an aggressive outreach effort to potential claimants and communities. (FY24 – FY26: 2.0 FTE, \$287,675 per year)

Communications Consultant 4 – will create communication media in an aggressive outreach effort to potential claimants and communities. (FY24 - FY26: 6.0 FTE, \$758,917 per year, FY27: 1.0 FTE, \$126,486)

Communications Consultant 3 – will create communication media in an aggressive outreach effort to potential claimants and communities. (FY24 – FY26 : 2.0 FTE, \$227,902 per year, FY27: 1.0 FTE, \$113,951)

Communications Consultant 2 – will create communication media in an aggressive outreach effort to potential claimants and communities. (FY24 – FY26: 1.0 FTE, \$104,822 per year)

#### Communication Non-Staff Costs:

Communications will contract with external vendors for online marketing to achieve outreach to target populations. (FY25: \$980,000, FY26: \$965,000, FY27: \$258,000)

#### Total Communication One Time Costs:

FY24: \$163,346 + \$287,675 + \$758,917 + \$227,902 + \$104,822 = \$1,542,662

FY25: \$163,346 + \$287,675 + \$758,917 + \$227,902 + \$104,822 + \$980,000 = \$2,522,662

FY26: \$163,346 + \$287,675 + \$758,917 + \$227,902 + \$104,822 + \$965,000 = \$2,507,662

FY27: \$163,346 + \$126,486 + \$113,951 + \$258,000= \$661,783

#### Attorney General Services:

AGO will require staff to advise and provide legal services to ESD. (FY24 – FY26: \$270,000 per year)

Information Technology Services Division (ITSD): will create a new functional system, but not one that has as many features as the current unemployment insurance software systems UTAB.

#### ITSD Staffing Costs:

Unemployment Specialist 4 – will act as subject matter expert in development of new software and will act as user acceptance pool in ensuring software meets policy and regulation. (FY25: 1.0 FTE, \$106,857 FY26: 2.0 FTE, \$213,715)

Investigator 3 - will act as subject matter expert in development of new software, and will act as user acceptance pool in ensuring software meets policy and regulation. (FY25: 0.3 FTE, \$38,769, FY26: 0.5 FTE, \$64,614)

IT Architecture Senior / Specialist – oversee the macro level development of the new software system. (FY25: 0.2 FTE, \$38,759, FY26: 0.3 FTE, \$58,138)

Management Analyst 5 – will focus on customer experience, and will lead development for that perspective. (FY25: 0.3 FTE, \$45,056, FY26: 0.8 FTE, \$120,149)

Washington Management Services Band 2 – will oversee the change management process and tools for the project. (FY25: 0.3 FTE, \$54,722, FY26: 0.5 FTE, \$91,205)

Technical Training Consultant – creates training plans, documents, and deliver training plans to users. (FY25: 0.3, \$39,603, FY26: 0.5 FTE, \$66,004)

IT Project Management Senior / Specialist – directs the planning and execution of all project work.  
(FY25: 0.3 FTE, \$55,617, FY26: 0.5 FTE, \$92,696)

Total ITSD One Time Costs:

FY25: \$106,857 + \$38,769 + \$38,759 + \$45,056 + \$54,722 + \$39,603 + \$55,617 = \$379,383

FY26: \$213,715 + \$64,614 + \$58,138 + \$120,149 + \$91,205 + \$66,004 + \$92,696 = \$706,521

Agency One Time Costs:

FY24: \$1,542,662 + \$270,000 = \$1,812,662

FY25: \$2,522,662 + \$270,000 + \$379,383 = \$3,172,045

FY26: \$2,507,662 + \$270,000 + \$706,521 = \$3,484,183

FY27: \$661,783

Agency Ongoing costs:

Administrative Services Division Staffing Costs: will manage records requests and sharing agreements. Forms and Records Analyst 3 – manage record storage, retrieval of public records, litigation, discovery and manage record deletion within 15 days of notice per section 15. (FY24 and ongoing: 1.0 FTE, \$104,822)

Program Specialist 4 – will manage record storage, retrieval of public records, litigation, discovery and manage record deletion within 15 days of notice per section 15. (FY24 and ongoing: 1.0 FTE, \$126,486)

Program Specialist 3 – will develop and manage data sharing agreements with other agencies or programs, including OAH, PFML, regular UI, Department of Labor and Industries. (FY24 and ongoing: 1.0 FTE, \$118,707)

ASD total ongoing costs:

FY24 and ongoing: \$104,822 + \$126,486 + \$118,707 = \$350,015

Data Division Staff Costs: forecasting and projecting number of claimants, benefits, and to scope scenarios.

Actuary 3 – forecast and project number of claimants and estimate trust fund liabilities. (FY24 and ongoing: 1 FTE, \$263,404)

Operations Research Specialist – direct evaluations and analysis of the program. (FY24 and ongoing: 1.0 FTE, \$164,030)

IT Data Management Senior / Specialist – create and administer data sets used in actuarial econometric and evaluation analysis. (FY24 and ongoing: 1.0 FTE, \$177,391)

Data Recurring Costs

FY24 and ongoing: \$263,404 + \$164,031 + \$177,392 = \$604,825

Employment System Policy and Integrity Staffing Costs:

Tax Policy Specialist 3 – will be needed to write policies for the agency, and to support the rule making process throughout the lifetime of the program. (FY24 - FY26: 2.0 FTE, \$313,794 per year, FY27: 1.8 FTE, \$282,417, FY28 and ongoing: 1.5 FTE, \$235,346)

Unemployment Insurance Division Staffing Costs: will process, review, and approve or deny claims.  
Executive Management Services – Band 3: will communicate and report progress of program implementation and ensure compliance with all sections of this bill. (FY24 and ongoing: 1.0 FTE, \$239,674)

Employment Security Program Coordinator 2 – answer customer inquiries, review claims for benefits, investigate potential issues, make determinations, collect overpayments. (FY26: 0.6 FTE, \$66,907, FY27 and ongoing: 1.1 FTE, \$122,664)

Unemployment Specialist 3 - answer customer inquiries, review claims for benefits, investigate potential issues, make determinations, collect overpayments. (FY26: 2.8 FTE, \$275,953, FY27 and ongoing: 5.5 FTE, \$542,049)

Unemployment Specialist 4 - answer customer inquiries, review claims for benefits, investigate potential issues, make determinations, collect overpayments. 2.6 are required to conduct random audits required by section 7. (FY26: 4.1 FTE, \$438,115, FY27 and ongoing: 8.1 FTE, \$865,544)

Unemployment Specialist 5 – lead position over the team. (FY26: 1.0 FTE, \$111,513, FY27 and ongoing: 2.0 FTE, \$223,025)

Unemployment Specialist 6 – supervisor position over the team. (FY26: 1.0 FTE, \$116,269, FY27 and ongoing: 2.0 FTE, \$232,537)

Washington Management Service Band 2 – manage the operational team. (FY26: 0.5 FTE, \$91,205, FY27 and ongoing: 1.0 FTE, \$182,410)

Technical Training Consultant - creates training plans, documents, and deliver training plans to operational team. (FY26: 0.3 FTE, \$39,603, FY27 and ongoing: 0.5 FTE, \$66,004)

Investigator 3 – will analyze information, investigate, and identify fraudulent claims. (FY26: 0.5 FTE, \$64,613, FY27 and ongoing: 1.0 FTE, \$129,227)

Administrative Assistant 3 – will fulfill administrative support for the team. (FY26: 0.1 FTE, \$9,124, FY27 and ongoing: 0.2 FTE, \$18,248)

Unemployment Specialist 2 – will process increased claims due to more submissions. Will be funded by federal funding. (FY26: 0.4 FTE, \$37,172, FY27 and ongoing: 0.9 FTE, \$83,638)

#### Unemployment Insurance Non Staff Costs:

Additional funding will be required to increase the capacity of ESD's phone systems and provide Language Link interpreter services. (FY26: \$480,467, FY27 and ongoing: \$960,934)

#### Total Unemployment Insurance Ongoing Costs:

FY24: \$239,674

FY25: \$239,674

FY26: \$239,674 + \$66,907 + \$275,953 + \$438,115 + \$111,513 + \$116,269 + \$91,205 + \$39,603 + \$64,613 + \$9,124 + \$37,172 + \$480,467 = \$1,970,615

FY27 and ongoing: \$239,674 + \$122,664 + \$542,049 + \$865,544 + \$223,025 + \$232,537 + \$182,410 + \$66,004 + \$129,227 + \$18,248 + \$83,638 + \$960,934 = \$3,665,954

#### Financial Services Division Staffing Costs:

Fiscal Analyst 4 – will process draws, coordinate with IRS and banking institutions, post journal entries, and perform reconciliations. (FY25: 0.3 FTE, \$36,356, FY26: and ongoing: 1.0 FTE, \$121,186)

Fiscal Analyst 5 – will process draws, coordinate with IRS and banking institutions, post journal entries, and perform reconciliations. (FY25: 0.3 FTE, \$40,449, FY26 and ongoing: 1.0 FTE, \$134,829)

Total Financial Services Division Staffing Costs:

FY25: \$36,356 + \$40,449 = \$76,805

FY26 and ongoing: \$121,186 + \$134,829 = \$256,015

ITSD Division Staffing Costs:

IT Application Development Senior / Specialist – will write the code for the new software and configure changes. (FY25: 0.3 FTE, \$55,619, FY26: 0.8 FTE, \$148,313, FY27 and ongoing: 0.5 FTE, \$92,696)

IT Application Development Journey – will write the code for the new software and configure changes. (FY25: 0.3 FTE, \$48,767, FY26 and ongoing: 1 FTE, \$162,560)

IT Application Development Entry – will write the code for the new software and configure changes. (FY25: 0.3 FTE, \$45,739, FY26 and ongoing: 1 FTE, \$152,463)

IT Policy & Planning Manager – responsible for all staff and contractors providing technical support. (FY25: 0.3 FTE, \$60,768, FY26: 0.8 FTE, \$162,050, FY27 and ongoing: 0.5 FTE, \$101,281)

IT Quality Assurance Journey – will work with team to create test approach, process test scenarios, automate tests. (FY25: 0.3 FTE, \$48,767, FY26: 0.8 FTE, \$130,047, FY27 and ongoing: 0.5 FTE, \$81,280)

IT Quality Assurance Senior / Specialist – automate testing to ensure system integrity. (FY26: 0.3 FTE, \$53,218, FY27 and ongoing: 0.5 FTE, \$88,696)

IT Business Analysts Journey – gather detailed scope and requirements of the work desired. (FY25: 0.3 FTE, \$48,767, FY26: 0.8 FTE, \$130,047, FY27 and ongoing: 0.5 FTE, \$81,280)

Management Analyst 5 – responsible for population analysis and outreach. (FY26 and ongoing: 0.5 FTE, \$75,093)

ITSD Total Ongoing Costs:

FY25: \$55,619 + \$48,767 + \$45,739 + \$60,768 + \$48,767 + \$48,767 = \$308,427

FY26: \$148,313 + \$162,560 + \$152,463 + \$162,050 + \$130,047 + \$53,218 + \$130,047 = \$938,698

FY27: \$92,696 + \$162,560 + \$152,463 + \$101,281 + \$81,280 + \$88,696 + \$81,280 + \$75,093 = \$835,349

Office of Administrative Hearings:

The Office of Administrative Hearings will review appeals for benefits. This assumes 1,596 appeals filed by claimants per year. (FY26: \$273,000, FY27 and ongoing \$546,000)

Communications Staff Costs:

Communications Consultant 4 – will create communication media in an aggressive outreach effort to potential claimants and communities. (FY27 and ongoing 5.0 FTE, \$632,431)

Communications Consultant 2 – will create communication media in an aggressive outreach effort to potential claimants and communities. (FY27 and ongoing 1.0 FTE, \$104,822)

Total Communications Ongoing costs:

FY27 and ongoing: \$104,822 + \$632,431 = \$737,253

Attorney General Services:

AGO will require staff to advise and provide legal services to ESD. (FY27 and ongoing: \$135,000)

Total Agency Ongoing Costs

FY24:  $\$350,015 + \$604,825 + \$313,794 + \$239,674 = \$1,508,308$

FY25:  $\$350,015 + \$604,825 + \$313,794 + \$239,674 + \$76,805 + \$308,427 = \$1,893,540$

FY26:  $\$350,015 + \$604,825 + \$313,794 + \$1,970,615 + \$256,015 + \$938,698 + \$273,000 = \$4,706,962$

FY27:  $\$350,015 + \$604,825 + \$282,417 + \$3,665,954 + \$256,015 + \$835,349 + \$546,000 + \$737,253 + \$135,000 = \$7,412,828$

FY28 and ongoing:  $\$350,015 + \$604,825 + \$235,346 + \$3,665,954 + \$256,015 + \$835,349 + \$546,000 + \$737,253 + \$135,000 = \$7,365,757$

Total Agency Costs:

FY24:  $\$1,812,662 + \$1,508,308 = \$3,320,970$

FY25:  $\$3,172,045 + \$1,893,540 = \$5,065,585$

FY26:  $\$3,484,183 + \$4,706,962 + \$26,913,526 = \$35,104,671$

FY27:  $\$661,783 + \$7,412,828 + \$55,980,276 = \$64,054,887$

FY28:  $\$7,365,757 + \$60,458,745 = \$67,824,502$

FY29:  $\$7,365,757 + \$65,295,492 = \$72,661,249$