

Multiple Agency Fiscal Note Summary

Bill Number: 1991 HB	Title: Paid sick leave
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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 Administrative Hearings	0	0	30,000	0	0	60,000	0	0	60,000
Department of Labor and Industries	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Total \$	0	0	30,000	0	0	60,000	0	0	60,000

Agency Name	2023-25		2025-27		2027-29	
	GF- State	Total	GF- State	Total	GF- State	Total
Local Gov. Courts	Fiscal note not available					
Loc School dist-SPI						
Local Gov. Other						
Local Gov. Total						

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
Administrative Office of the Courts	Fiscal note not available											
Office of Attorney General	Fiscal note not available											
Office of Administrative Hearings	.1	0	0	30,000	.2	0	0	60,000	.2	0	0	60,000
Department of Labor and Industries	1.4	0	0	448,000	1.3	0	0	411,000	1.2	0	0	376,000
Total \$	1.5	0	0	478,000	1.5	0	0	471,000	1.4	0	0	436,000

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts	Fiscal note not available								
Loc School dist-SPI									
Local Gov. Other									
Local Gov. Total									

Estimated Capital Budget Expenditures

Agency Name	2023-25			2025-27			2027-29		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Administrative Office of the Courts	Fiscal note not available								
Office of Attorney General	Fiscal note not available								
Office of Administrative Hearings	.0	0	0	.0	0	0	.0	0	0
Department of Labor and Industries	.0	0	0	.0	0	0	.0	0	0
Total \$	0.0	0	0	0.0	0	0	0.0	0	0

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts	Fiscal note not available								
Loc School dist-SPI									
Local Gov. Other									
Local Gov. Total									

Estimated Capital Budget Breakout

Prepared by: Anna Minor, OFM	Phone: (360) 790-2951	Date Published: Preliminary 1/16/2024
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Individual State Agency Fiscal Note

Bill Number: 1991 HB	Title: Paid sick leave	Agency: 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		30,000	30,000	60,000	60,000
Total \$		30,000	30,000	60,000	60,000

Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.0	0.2	0.1	0.2	0.2
Account					
Administrative Hearings Revolving Account-State 484-1	0	30,000	30,000	60,000	60,000
Total \$	0	30,000	30,000	60,000	60,000

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: Kelly Leonard	Phone: 360-786-7147	Date: 01/10/2024
Agency Preparation: Pete Boeckel	Phone: 360-407-2730	Date: 01/12/2024
Agency Approval: Rob Cotton	Phone: 360-407-2708	Date: 01/12/2024
OFM Review: Val Terre	Phone: (360) 280-3973	Date: 01/16/2024

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.

Subsections (1)(b)(iii) and (5)(h)(iii) expand the scope of paid sick leave to cover employee and driver absences related to their child's school's closure for weather, and public emergencies unrelated to health.

Subsections (2)(a) and (5)(a)(iv)(A) expand the definition of "family member" to include those who regularly reside in the employee's or driver's home, where the relationship creates an expectation that the employee or driver will care for them, and they depend on the employee or driver for care.

Subsections (2)(b) and (5)(a)(iv)(B) expand the definition of "child" to include a child's spouse.

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, the Office of Administrative Hearings (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 Department of Labor & Industries 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 Department of Labor & Industries (L&I) estimates that the proposed legislation will result in six new appeals being referred to the Office of Administrative Hearings (OAH) per fiscal year beginning in FY 2025. On average, each appeal is expected to take approximately 20 hours of line Administrative Law Judge (ALJ) time including prehearing conferences, hearings, order writings, etc.

OAH Agency Workforce Assumptions:

- (1) 1.0 Line ALJ will include cost and FTE for 0.15 Senior ALJ (SALJ), 0.15 Lead ALJ (LALJ), 0.6 Legal Assistant 2 (LA2) (Range 40 step L), and 0.25 administrative support represented as a Management Analyst 5 (MA5) (Range 64 Step L).
- (2) 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.)
- (3) Benefit rates were analyzed by job class and projected using the latest benefit information available.
- (4) Goods and services, travel and on-going capital outlays were projected based on historical data for each of the job classifications.

Total workload impact beginning in FY2025: 0.1 ALJ and 0.05 LA2 at a rounded cost of \$30,000 per FY.

This bill is assumed effective 90 days after the end of the 2024 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	30,000	30,000	60,000	60,000
Total \$			0	30,000	30,000	60,000	60,000

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years		0.2	0.1	0.2	0.2
A-Salaries and Wages		19,000	19,000	38,000	38,000
B-Employee Benefits		6,000	6,000	12,000	12,000
C-Professional Service Contracts					
E-Goods and Other Services		5,000	5,000	10,000	10,000
G-Travel					
J-Capital Outlays					
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-					
Total \$	0	30,000	30,000	60,000	60,000

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	110,400		0.1	0.1	0.1	0.1
Legal Assistant 2	52,964		0.1	0.0	0.1	0.1
Total FTEs			0.2	0.1	0.2	0.2

III. D - Expenditures By Program (optional)

Program	FY 2024	FY 2025	2023-25	2025-27	2027-29
Regulatory & Education (REG)		30,000	30,000	60,000	60,000
Total \$		30,000	30,000	60,000	60,000

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

Bill Number: 1991 HB	Title: Paid sick leave	Agency: 235-Department of Labor and Industries
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

Non-zero but indeterminate cost and/or savings. Please see discussion.

Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.5	2.2	1.4	1.3	1.2
Account					
Accident Account-State 608-1	102,000	278,000	380,000	352,000	322,000
Medical Aid Account-State 609-1	20,000	48,000	68,000	59,000	54,000
Total \$	122,000	326,000	448,000	411,000	376,000

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: Kelly Leonard	Phone: 360-786-7147	Date: 01/10/2024
Agency Preparation: Jenifer Colley	Phone: (360) 902-6983	Date: 01/16/2024
Agency Approval: Trent Howard	Phone: 360-902-6698	Date: 01/16/2024
OFM Review: Anna Minor	Phone: (360) 790-2951	Date: 01/16/2024

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.

See attached

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.

See attached

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.

See attached.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
608-1	Accident Account	State	102,000	278,000	380,000	352,000	322,000
609-1	Medical Aid Account	State	20,000	48,000	68,000	59,000	54,000
Total \$			122,000	326,000	448,000	411,000	376,000

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.5	2.2	1.4	1.3	1.2
A-Salaries and Wages	43,000	177,000	220,000	188,000	164,000
B-Employee Benefits	16,000	65,000	81,000	72,000	64,000
C-Professional Service Contracts					
E-Goods and Other Services	42,000	82,000	124,000	147,000	144,000
G-Travel	1,000	2,000	3,000	4,000	4,000
J-Capital Outlays	20,000		20,000		
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-					
Total \$	122,000	326,000	448,000	411,000	376,000

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 Regulations Analyst 4	88,416	0.3	1.0	0.6	0.1	
Fiscal Analyst 5	74,376		0.1	0.1	0.1	0.1
Industrial Relations Agent 2	69,072	0.3	1.0	0.6	1.0	1.0
Revenue Agent 2	67,380		0.1	0.1	0.1	0.1
Total FTEs		0.5	2.2	1.4	1.3	1.2

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

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.

See attached

Part II: Explanation

This bill amends RCW 49.46.210 by:

- Updating the current definitions of “family member”, “child”, and “parent”;
- Adding new definitions for of “grandchild”, “grandparent”, and “spouse”; and
- Adding weather and public emergencies as authorized purposes for using paid sick leave.

II. A – Brief Description of What the Measure Does that Has Fiscal Impact

Section 1

Expands the paid sick leave definition of "family member" to include individuals who regularly reside in the employee's home or where the relationship creates an expectation that the employee care for the person, expands the definition of "child" to include a child's spouse, adds definitions of "grandchild" and "grandparent". The bill also adds weather and public emergencies as authorized purposes for using paid sick leave.

II. B – Cash Receipt Impact

This bill assumes additional complaints, 200, which would result in additional citations, 28. The penalty for the first offense is \$1,000 and for a repeat willful violator the penalty is not less than \$2,000 but not more than \$20,000 for each repeat willful violation. L&I does not have data to determine how many will be first offenses or repeat offenses and cash receipts are indeterminate.

II. C – Expenditures

Appropriated – Operating Costs

This proposed bill increases expenditures to the Accident Fund, 608, and the Medical Aid Fund, 609. The following assumptions were used to estimate the resources requested to implement this bill.

Staffing

1.0 Industrial Relations Agent 2, permanent, start date April 1, 2024. Duties include enforcing the Industrial Welfare Act, Public Works Act, Farm Labor Contractors Act and the Minimum Wage and Overtime Act, the Wage Payment Act, and other related statutes. Investigates routine wage disputes. Provides assistance to higher level Industrial Relations Agents on more complex

investigations and/or disputes, issues notices of violation, notices of infraction, and citations and assessments.

Workload Assumptions

- In 2023 there was a 0.0003 paid sick leave complaint rate resulting in 995 paid sick leave complaints/year $3,520,246$ workers = 0.0003 or .03%.
- L&I anticipates a 10% increase in complaints due to the updated definition of family member $995 \times 10\% = 99.5$ additional complaints.
- In addition to complaints based on the definition of family member, L&I will also have complaint increases due to the additional authorized purposes. For this reason, we are assuming a comparable number of increased complaints due to additional authorized purposes. This equates to 200 additional complaints total per year.

0.10 Revenue Agent 2, permanent, start date April 1, 2024. Duties include collecting penalties issued via citations for violations. A Revenue Agent's extra duties include evaluation of assets in connection with financial applications; evaluation of business records; evaluation of financial statements for long-term payment plans; acting liaison between WPA & Employment Standards; monitor all bankruptcy suspensions; and complete WPA assignments if position(s) are vacant.

Workload Assumptions

- 200 new complaints, 14% of all complaints results in a citation. $200 \times 14\% = 28$ new citations.
- Current Revenue Agent 2's WPA workload = 708 accounts; ideal state = 300 accounts.
- $28/300 = 0.10$ FTE Revenue Agent 2

1.0 Administrative Regulations Analyst 4, temporary, April 1, 2024 – September 30, 2025. Duties include rulemaking, conducting hearings and policy drafting.

Printing & Translation

\$27,400 is needed for printing and translation updates to multiple worker-rights printed posters, printed pamphlets and online publications, in multiple languages such as *Paid Sick Leave Law*, *Your Rights as a Worker*, *The Pocket Guide to Worker Rights*, *Workers’ Rights Guide for the Arts and Entertainment Industries*, and others.

Rule making

\$7,500 is needed for 3 rule making hearings to occur during FY2024. The average cost of one rule making hearing is \$2,500. (3 hearings x \$2,500 each = \$7,500)

Attorney General – Legal Services

\$29,000 is needed for legal services. The following assumptions were used to calculate the estimates:

0.10 Assistant Attorney General FTE (AAG) and 0.10 Paralegal FTE (PL).

Administrative Hearings

\$30,000 is needed for 6 administrative rule hearings per fiscal year.

Indirect Costs

The amount included in this fiscal note for indirect is:

Fund Name		FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029
608	Accident	2,900	11,000	6,800	5,800	5,800	5,800
609	Medical Aid	500	2,000	1,200	1,000	1,000	1,000
	Total:	\$3,400	\$13,000	\$8,000	\$6,800	\$6,800	\$6,800

The department assesses an indirect rate to cover agency-wide administrative costs. Labor and Industries’ indirect rate is applied on salaries, benefits, and standard costs. For fiscal note purposes, the total indirect amount is converted into salary and benefits for partial or full indirect FTEs. Salary and benefits costs are based on a Fiscal Analyst 5 (Range 59, Step G).

Part IV: Capital Budget Impact

None.

Part V: New Rule Making Required

This legislation would result in rule changes to:

- WAC 296-128-600
- WAC 296-128-99140