

# Multiple Agency Fiscal Note Summary

<b>Bill Number:</b> 5793 E S SB	<b>Title:</b> 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 Attorney General	0	0	30,000	0	0	60,000	0	0	60,000
Office of Administrative Hearings	0	0	0	0	0	60,000	0	0	60,000
Department of Labor and Industries	Non-zero but indeterminate cost and/or savings. Please see discussion.								
<b>Total \$</b>	<b>0</b>	<b>0</b>	<b>30,000</b>	<b>0</b>	<b>0</b>	<b>120,000</b>	<b>0</b>	<b>0</b>	<b>120,000</b>

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	.2	0	0	30,000	.3	0	0	60,000	.3	0	0	60,000
Office of Administrative Hearings	.0	0	0	0	.2	0	0	60,000	.2	0	0	60,000
Department of Labor and Industries	1.6	0	0	581,000	2.4	0	0	650,000	2.2	0	0	616,000
Public Employment Relations Commission	.0	0	0	0	.0	0	0	0	.0	0	0	0
<b>Total \$</b>	<b>1.8</b>	<b>0</b>	<b>0</b>	<b>611,000</b>	<b>2.9</b>	<b>0</b>	<b>0</b>	<b>770,000</b>	<b>2.7</b>	<b>0</b>	<b>0</b>	<b>736,000</b>

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	.0	0	0	.0	0	0	.0	0	0
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
Public Employment Relations Commission	.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>

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

<b>Prepared by:</b> Anna Minor, OFM	<b>Phone:</b> (360) 790-2951	<b>Date Published:</b> Preliminary 2/13/2024
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# Individual State Agency Fiscal Note

<b>Bill Number:</b> 5793 E S SB	<b>Title:</b> Paid sick leave	<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		30,000	30,000	60,000	60,000
<b>Total \$</b>		30,000	30,000	60,000	60,000

### Estimated Operating Expenditures from:

ACCOUNT	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.0	0.3	0.2	0.3	0.3
<b>Account</b>					
Legal Services Revolving Account-State 405-1	0	30,000	30,000	60,000	60,000
<b>Total \$</b>	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: 02/08/2024
Agency Preparation: Dan Jensen	Phone: 360-664-9429	Date: 02/13/2024
Agency Approval: Edd Giger	Phone: 360-586-2104	Date: 02/13/2024
OFM Review: Val Terre	Phone: (360) 280-3973	Date: 02/13/2024

## 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.*

Section 1 - Amends RCW 49.46.210 to authorize the use of paid sick leave when an employee's child's school or place of care is closed for a health-related reason or after a government declared emergency. Removed weather from being a qualifying event. Clarifies definitions for "family member," "child," "grandchild," "grandparent," "parent," and "spouse." Allows drivers under RCW 49.46.300 to use paid sick leave if their child's school or place of care has been closed due to weather or a public emergency.

Section 2 - New section. This bill takes effect January 1, 2025.

Section 3 – New section. Requires the Department of Labor and Industries (L&I) to develop materials and conduct outreach to inform individuals and businesses of this act.

### 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 Department of Labor and Industries (L&I). The Attorney General's Office (AGO) will bill all clients 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:

L&I will be billed for King County rates:

FY 2025 and in each FY thereafter: \$30,000 for 0.1 Assistant Attorney General FTE (AAG) and 0.1 Paralegal 1 FTE (PL1)

### 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:

Legal services associated with the enactment of this bill will begin on January 1, 2025.

Location of staffing is assumed to be in a King County 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. The Management Analyst 5 FTE (MA), is used as a representative classification. An example ratio is for every 1.0 Assistant Attorney General FTE (AAG), the AGO includes 0.5 Paralegal 1 FTE (PL1) and 0.4 MA.

1. Assumptions for the AGO Labor and Industries Division's (LNI) Legal Services for the Department of Department of Labor and Industries (L&I).

The AGO will bill L&I for legal services based on the enactment of this bill.

L&I expects a 10 percent increase in complaints due to the updated definition of family member. L&I also received 995 paid sick leave related complaints last year ( $995 \times 0.10 = 99.5$ ) and a comparable amount due to additional authorized purposes, resulting in roughly 200 new complaints at L&I. Based on historical citation average, approximately 14 percent will result in an appealable order, resulting in 28 going to citation per year. With a historical appeal rate of 20 percent approximately six cases per year will go to Office of Administrative Hearings (OAH) and be litigated by AAG's. Appeals of this complexity generally require 0.2 AAG per 10 appeals. Using figures based on current AAG workload for employment standards appeals, we believe this will require a total of 0.1 AAG.

LNI: Total King County workload impact:

FY 2025 and in each FY thereafter: \$30,000 for 0.1 AAG and 0.1 PL1

2. The AGO Administrative Division (ADM) has reviewed this bill and determined it will not increase or decrease the division's workload. Therefore, no costs are included in this request.

### 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	State	0	30,000	30,000	60,000	60,000
	Revolving Account						
<b>Total \$</b>			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		0.3	0.2	0.3	0.3
A-Salaries and Wages		21,000	21,000	42,000	42,000
B-Employee Benefits		6,000	6,000	12,000	12,000
E-Goods and Other Services		3,000	3,000	6,000	6,000
<b>Total \$</b>	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
Assistant Attorney General-Seattle	135,555		0.1	0.1	0.1	0.1
Management Analyst 5	95,184		0.1	0.1	0.1	0.1
Paralegal 1-Seattle	72,528		0.1	0.1	0.1	0.1
<b>Total FTEs</b>			0.3	0.2	0.3	0.3

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

Program	FY 2024	FY 2025	2023-25	2025-27	2027-29
Labor & Industries Division (LNI)		30,000	30,000	60,000	60,000
<b>Total \$</b>		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

<b>Bill Number:</b> 5793 E S SB	<b>Title:</b> Paid sick leave	<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				60,000	60,000
<b>Total \$</b>				60,000	60,000

### Estimated Operating Expenditures from:

ACCOUNT	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.0	0.0	0.0	0.2	0.2
<b>Account</b>					
Administrative Hearings Revolving Account-State 484-1	0	0	0	60,000	60,000
<b>Total \$</b>	0	0	0	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: 02/08/2024
Agency Preparation: Pete Boeckel	Phone: 360-407-2730	Date: 02/13/2024
Agency Approval: Rob Cotton	Phone: 360-407-2708	Date: 02/13/2024
OFM Review: Val Terre	Phone: (360) 280-3973	Date: 02/13/2024

## 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 or daycare's closure for public emergencies potentially unrelated to health.

Subsections (2)(a) and (5)(a)(iv)(A) continue to 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) continue to 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 three new appeals being referred to the Office of Administrative Hearings (OAH) in FY 2025, and 6 new appeals beginning in FY 2026. 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:

FY 2025: No fiscal impact. OAH will provide services with existing resources.

FY 2026 and in each FY thereafter: 0.10 ALJ and 0.05 LA2 at a rounded cost of \$30,000 per FY.

These projected costs do not include approved COLA salary increases approved effective July 1, 2024.

Legal services associated with the enactment of this bill will begin on January 1, 2025.



## 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	60,000	60,000
<b>Total \$</b>			0	0	0	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	0.2
A-Salaries and Wages				38,000	38,000
B-Employee Benefits				12,000	12,000
C-Professional Service Contracts					
E-Goods and Other Services				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-					
<b>Total \$</b>	0	0	0	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
Legal Assistant 2	52,964				0.1	0.1
<b>Total FTEs</b>					0.2	0.2

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

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

<b>Bill Number:</b> 5793 E S SB	<b>Title:</b> Paid sick leave	<b>Agency:</b> 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	0.3	3.0	1.6	2.4	2.2
<b>Account</b>					
Accident Account-State 608-1	37,000	442,000	479,000	555,000	526,000
Medical Aid Account-State 609-1	7,000	95,000	102,000	95,000	90,000
<b>Total \$</b>	44,000	537,000	581,000	650,000	616,000

### 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: 02/08/2024
Agency Preparation: Jenifer Colley	Phone: (360) 902-6983	Date: 02/13/2024
Agency Approval: Trent Howard	Phone: 360-902-6698	Date: 02/13/2024
OFM Review: Anna Minor	Phone: (360) 790-2951	Date: 02/13/2024

## 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	37,000	442,000	479,000	555,000	526,000
609-1	Medical Aid Account	State	7,000	95,000	102,000	95,000	90,000
<b>Total \$</b>			44,000	537,000	581,000	650,000	616,000

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

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.3	3.0	1.6	2.4	2.2
A-Salaries and Wages	23,000	240,000	263,000	346,000	322,000
B-Employee Benefits	8,000	87,000	95,000	131,000	124,000
C-Professional Service Contracts					
E-Goods and Other Services	3,000	188,000	191,000	169,000	166,000
G-Travel		2,000	2,000	4,000	4,000
J-Capital Outlays	10,000	20,000	30,000		
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-					
<b>Total \$</b>	44,000	537,000	581,000	650,000	616,000

### 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	
Communications Consultant 5	90,624		0.3	0.1		
Fiscal Analyst 5	74,376		0.2	0.1	0.2	0.1
Industrial Relations Agent 2	69,072		0.8	0.4	1.0	1.0
Program Specialist 3	72,552		0.8	0.4	1.0	1.0
Revenue Agent 2	67,380		0.1	0.0	0.1	0.1
<b>Total FTEs</b>		0.3	3.0	1.7	2.4	2.2

**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 public emergencies as authorized purposes for using paid sick leave.

This act takes effect January 1, 2025.

ESSB 5793 is different from SB 5793 in that it:

- It excludes the inclement weather provision, instead references a public emergency.
- Adds Section 2 – This act takes effect January 1, 2025.
- Adds Section 3 – The Department of Labor and Industries (L&I) must develop materials and conduct outreach to inform individuals and businesses of the new provisions of this act.

## **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 public emergencies as authorized purposes for using paid sick leave.

### **Section 2**

This act takes effect January 1, 2025.

### **Section 3**

The Department of Labor and Industries (L&I) must develop materials and conduct outreach to inform individuals and businesses of the new provisions of this act.

## **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 October 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.

- 1 IRA2 can handle 200 total complaints per year.
- 200 new complaints / 200 complaints investigated = 1 FTE

0.10 Revenue Agent 2, permanent, start date October 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.
- 1 Revenue Agent 2's can handle 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.

1.0 Program Specialist 3, permanent, starting October 1, 2024. Duties include develop materials and conduct outreach to inform individuals, workers, and employers of the new provisions of this act; assist employers to understand new requirements and to encourage proactive compliance; provide technical guidance to internal staff/agents pertaining to new requirements and also facilitate meetings with other internal stakeholders to provide a technical answer to internal agents; serve as the point of contact for implementation tasks related to outreach and education; update and develop new outreach materials including website content, forms and publications, creating GovDelivery messages.

#### **Workload Assumptions**

- Respond to public inquiries received via email. Average number of emails received 1290 emails per year X 45 minutes = 967.5 hours.



- Public webinars tailored to workers, employers, and the general public about new requirements. 48 webinars per year X 1.5 hours each = 72 hours.
- Respond to in-person event requests. 17 in-person events per year X 8 hours each including travel = 136 hours.

0.25 Communications Consultant 5, temporary, July 1, 2024 – June 30, 2025. Duties include managing communications work, digital media campaign and production of outreach materials.

### **Outreach**

\$120,000 is needed for digital media campaign/translation services (online banners, ads, targeted social media, targeted streaming).

### **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**

\$30,000 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 starting in FY 2026.

### **L&I As An Employer**

L&I will need to consult and provide outreach to L&I staff; policy updates to include new leave usage reasons; coordination with Labor Relations to update collective bargaining agreements; training updates. This will be performed within existing resources.

**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	1,400	16,150	12,750	11,000	11,000	11,000
609	Medical Aid	200	2,850	2,250	2,000	2,000	2,000
	Total:	\$1,600	\$19,000	\$15,000	\$13,000	\$13,000	\$13,000

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

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 5793 E S SB	<b>Title:</b> Paid sick leave	<b>Agency:</b> 275-Public Employment Relations Commission
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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: Kelly Leonard	Phone: 360-786-7147	Date: 02/08/2024
Agency Preparation: Dario de la Rosa	Phone: 360-570-7328	Date: 02/08/2024
Agency Approval: Dario de la Rosa	Phone: 360-570-7328	Date: 02/08/2024
OFM Review: Cheri Keller	Phone: (360) 584-2207	Date: 02/09/2024

## 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.*

Engrossed Substitute Senate Bill 5793 amends RCW 49.46.210 to allow an employee or Transportation Network Company driver to use paid sick leave when their child's school or place of care is closed after the declaration of an emergency by a local or state government or agency, or by the federal government.

The Public Employment Relations Commission does not enforce or regulate the provisions of RCW 49.46.210 and therefore anticipates no additional fiscal impact associated with ESHB 5793.

### 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.*