**Employment Security Advisory Committee**



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| **Meeting details** |
| **Meeting date:** Tuesday, August 21, 2018**Meeting time:** 1:00 to 2:10 p.m.**Location:** Employment Security Department Maple Park Building, Maple Leaf Room

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| **Committee members present** | **Committee members absent** |
| * Mike Gempler
* Mark Johnson
* Joe Kendo
 | * Bob Battles
* Larry Brown
* Joe Kendo
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| * Hilliary Bryan on behalf of Linda Nguyen
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| * Mark Riker
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| * John Tirpak
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|  **ESD staff present** |
| * Commissioner Suzi LeVine
* Nick Streuli
* Sandi Fairchild
* Greg Ferland
 | * Gary Kamimura
* Larry Sheahan
* Bianca Stoner
* Dan Zeitlin
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| **Summary** |
| **Discussion with Suzi LeVine**New Employment Security Department (ESD) Commissioner Suzi LeVine introduced herself and expressed her interest in listening to and learning from ESAC committee members and stakeholders. She said that she sees herself as “Commissioner of Careers,” and among other issues, talked about her interest in helping veterans transition out of the military and into civilian careers. Following up on that topic, Mark Johnson said that Home Depot is one of the world’s largest employers of veterans. Mark also asked Suzi what the ESAC committee members can do to help her be successful. In response, Suzi said that they can help spread the word about the work that ESD does.When Suzi talked about the importance of apprenticeships, Mark Riker mentioned that apprenticeships are crucial to his organization, Washington Building Trades. He offered to arrange a tour of one of his group member’s facilities, and Suzi said that she would like to participate.Hilliary Bryan talked about the challenges that military spouses face in finding employment: unfortunately, employers often hesitate to hire them, because employers think they may leave the area within a few years. Suzi said that this issue is particularly important to her because when she was growing up, her father was in the military and her mother had difficulties finding employment, and she pointed out that helping military spouses obtain employment also helps the military retain staff. Suzi offered to discuss military spouse employment with Alfie Alvarado, Director of the Washington State Department of Veterans Affairs.**Overview of ESD’s 2019 request bills**Nick Streuli, ESD’s Legislative and Executive Operations Director, gave overviews of the bills that the agency will run in the 2019 legislative session:Data privacy bill – The bill modernizes and strengthens state law provisions regarding data privacy and confidentiality to ensure that ESD’s customers and the sensitive data the agency collects are protected in an open and transparent way. The changes include, but are not limited to:* Requiring ESD to designate a data privacy officer who will create a privacy work plan that the agency will submit annually to the Washington Office of Privacy and Data Protection. The privacy officer will also submit a data privacy report to the Legislature every other year.
* Changing how ESD shares data with other entities.
* Increasing the amount of penalties for unauthorized redisclosure from the current level ($5,000) to up to $20,000, with an annual increase based on the Consumer Price Index.

Paid Family and Medical Leave bill – This bill makes numerous technical amendments to the Paid Family and Medical Leave Act, such as: * Changing the definition of “employee benefits.”
* Clarifying the definition of “wage” in RCW 50A.04.010(24).
* Allowing employees who are covered under both a voluntary plan and a state plan to claim benefits under the plan where they have the most hours in the qualifying period.
* Adding language to prevent private entities from garnishing Paid Family and Medical Leave (PFML) benefits.
* Expanding the rights of employees covered by voluntary plans to file appeals.
* Making a technical correction regarding the issues of non-charging unemployment insurance benefits when an employer hires a replacement worker for an employee who is using PFML benefits.
* Recodifying RCW 50A into multiple chapters.

H-2A bill – Nick explained that ESD processes H-2A applications from employers who want to use the program, and that although the use of the H-2A program has increased in Washington State by more than 1,000% since 2009, federal funding has not increased. As a result, ESD is not receiving sufficient funding to support the H-2A-related activities that the agency is already performing. The draft bill:* Creates an application fee: an initial fee of $1,000 for each H-2A application, plus a per-worker fee of $100 for the first 1,000 workers and $50 for each worker above 1,000. The money pays for activities that ESD already conducts to meet US Department of Labor requirements and creates the Office of State Monitor Advocate within ESD.
* Moves some existing activities to ESD and adds some additional activities, such as creating a Spanish-language phone line for workers to report concerns and fully funding the prevailing wage and employment practices surveys of agricultural employers and workers.

Mike Gempler of the Washington Growers League spoke to the impacts of the bill and the need for more funding from the federal level from the perspective of the agricultural industry. |
| **Next meeting** |

The next meeting is at the Employment Security headquarters in Olympia on Wednesday, October 24th at 9:00 a.m.