



Agency Request Bills

Data Privacy and Confidentiality

In the 1970s, large sections of state law went into effect governing how the Employment Security Department (ESD) shares private and confidential information received through the Unemployment Insurance program from both claimants and employers.

Many of the provisions included in state law are required to conform with federal privacy and confidentiality requirements. We are proposing modernizing and strengthening these provisions in our state law to ensure our customers and the sensitive data we collect are protected in an open and transparent way.

H-2A Temporary Agricultural Program

ESD receives federal funding to conduct various activities as part of the H-2A temporary agriculture worker visa program. However, the funding is not sufficient to support the H-2A work ESD is required to perform to provide the adequate protections or services agricultural employers and farmworkers need.

This bill gives ESD the authority to conduct rulemaking to set two types of fees that agriculture employers using the H-2A program will pay: an application fee and an additional per-employee fee for each H-2A worker requested. These fees will provide a sustainable funding source to cover the work that ESD is already doing regarding the H-2A temporary agricultural program and to help the agency protect both foreign and domestic farmworkers. These fees will be adjusted annually to account for federal revenue changes and the program is prohibited from setting fees to generate revenue above the projected costs of the program.

An H-2A Advisory Committee made up of agriculture employers, farmworkers, as well as farmworker advocates and business community members will also be established to provide the department with advice and input on the administration of the H-2A program.

The bill also increases our ability to provide more robust services for the agricultural employers and farmworkers including:

- Conduct an adequate number of field checks and field visits to ensure agricultural employers and farmworkers are being adhering to the terms of the H-2A contract,
- Provide training and outreach to H-2A agricultural employers and farmworkers,
- Manage the determination and appeals process if an agricultural employer using the H-2A program is found out of compliance with federal regulations,
- Create a Spanish phone line for farmworkers to report concerns directly to ESD,
- Improve complaint processing,
- Fully fund the prevailing wage and employment practices surveys of agricultural employers and workers

Paid Family and Medical Leave Technical Corrections

This bill makes technical corrections to several sections of RCW 50A.04, the Family and Medical Leave Act. The purpose of these changes is to improve the customer experience, to avoid unneeded adverse impacts on employers and employees, and to properly implement the law.

Decision Packages

Disaster Recovery – Information Technology Continuity of Operations

ESD is requesting additional funding to develop, test and implement an enterprise Information Technology Continuity of Operations Plan for disaster recovery. This plan will provide a solution and create redundancy, resiliency and agility for ESD's critical business services.

Statewide Reentry Initiative

ESD is requesting additional appropriation authority to advance current strategic employment/reemployment initiatives underway with our state and local corrections partners that proactively engage justice involved individuals prior to and after release. Advancing this work will require collaborations with our state and community corrections partners, and will allow us to identify and close gaps between release and employment for this population. With this additional funding, ESD will work in coordination with efforts led by the Department of Corrections Reentry Division, the Department of Social and Health Services Juvenile Rehabilitation Administration and local community corrections entities to support Executive Order 16-05: Building Safe and Strong Communities through Successful Reentry.

