Much accomplished, much to do

Remote, but remarkable

By JOE KENDO

The 2021 legislative session was always going to be one for the history books. Lawmaking remotely via Zoom

during a global pandemic was already enough to attract his-

SESSION OVERVIEW

torians' attention, but that novelty will surely be overshadowed by the sheer number of marquee pieces of legislation that lawmakers passed this year. Significant bills were approved to address labor rights and benefits, policing reform, revenue, housing, environmental protection, as well as a suite of measures to help people with the health and economic impacts of the COVID-19 pandemic.

This year, lawmakers prioritized legislation that advanced racial equity. Of particular emphasis was policing reform addressing use-of-force standards, tactics and accountability. Legislators also took action to improve equity infrastructure in our schools and colleges, and even in our labor laws, finally extending the protections of overtime pay to farm workers after the Supreme Court ordered it so for workers in dairies.

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Worker Protection Act, transportation left undone

Washington's labor community came in to the 2021 session with a slimmer agenda than in previous years given the logistical challenges posed by remote legislating and the need to drill down on COVID-adjacent policy.

Although much was accomplished during the 105-day session, there were also missed opportunities, including two key policies from the WSLC's 2021 Workers' Recovery Agenda. The Legislature failed to approve the Work-

er Protection Act to empower workers to better enforce labor laws, and failed to pass a transportation revenue package to build the infrastructure necessary to sustain our economy and put people to work.

The Worker Protection Act, HB 1076 sponsored by Rep. Drew Hansen (D-Bainbridge Island), would allow workers to seek justice in court if their employer violates existing wage, work

See UNDONE on Page 7

Historic end of racist legacy

Farmworkers win OT pay

A major legislative victory this year for farm workers in Washington drew attention and praise from as far away as the White House. President Joe Biden congratulated Gov. Jay Inslee and our State Legislature on the passage of SB 5172. It will establish the 40-hour work week and grant overtime pay rights to all Washington farm workers, who have suffered under a Jim Crow-era exclusion from the Fair Labor Standards Act of 1938.

"Agricultural workers in Washington and across the country have helped carry our nation through this pandemic—working long hours, often at great personal risk, to meet the needs of their communities and keep America healthy and well-nourished," Biden said. "These overtime protections will ensure that agricultural workers in Washington are paid for all of the vital work they do."

Passage of SB 5172 assuring overtime pay rights for all Washington farm

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Gov. Jay Inslee signs SB 5172 at the UFCW 1439 hall in Yakima. Standing are (from left) Sens. Karen Keiser, Liz Lovelett, Rebecca Saldaña, and Curtis King.

Lawmakers take steps to rebalance tax code



Washington is known around the nation for its beautiful and varied landscapes, its quality workforce, its union density and cutting-edge public policy. These elements make our state one of the best places in the country to live and work. But unfortunately, our revenue system is so wildly out of balance that we're also well known for having the most regressive tax code in the country. In Washington, the lowest earners pay far more out of pocket for public services than the wealthiest—including some of the richest people in the world.

After nearly a decade of work, the labor movement can celebrate the achievement of one important step toward tax fairness: the adoption of SB 5096, an excise tax on extraordinary profits from the sales capital assets like stocks and bonds.

Our tax code is heavily reliant on consumer spending, mainly through the sales tax, so people who spend most of their earnings

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This feels like a sea change

In 1978, Californians approved one of the most consequential ballot measures in U.S. history, Proposition 13. It slashed and limited property taxes and began a "tax revolt" that spread across the nation.

Ronald Reagan was soon elected president and he also cut taxes, mostly for the rich, and promised the wealth would "trickle down."

In the 40-plus years since Prop. 13, disinvestment in public services has continued. The wealthy elite have used their



COLUMN **Larry Brown**

PRESIDENT'S

media outlets to convince Americans that government is their enemy. Corporations and the rich now pay a small fraction of what they used to pay in taxes, creating wealth inequality not seen since the Gilded Age. And a straight line can be drawn from underfunded public services to some of our society's most pressing problems: unaffordable health care, housing and child care; dilapidated schools and transportation systems; and as we've learned amid this horrible pandemic, insufficient public health systems.

Maybe that's why 2021 feels like a sea change. In both Washingtons, there is a renewed focus on building back better, both in terms of our post-pandemic economy and the essential government services that support working families.

This year, our State Legislature took significant steps to rebalance our upside-down tax system. Passage of the capital gains tax and the Working Families Tax Rebate are a great start to restoring some fairness to our tax system.

Some long-standing injustices were addressed head-on, such as granting

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Prioritizing workers—now and in the future

federal government response—put working people in a precarious position. Entering the 2021 legisla-

would be an unprecedented challenge, navigating the first virtual session and ensuring policies that build power for working people were not ignored. But Labor is built for challenging moments, and we drew from the lessons we've learned on strike lines, at the bargaining table, and in our communities: build coalitions, develop a strategy, and get it done.

Treasurer's Column Our strategy focused on the immediate needs of working people to ensure we **April Sims** are made whole in pandemic response and

recovery, like emergency labor standards for protecting working people's health on the job (SB 5115 and 5190) and extending the eviction moratorium (SB 5160). We worked with labor and community partners to support economic justice legislation, like finally funding a tax rebate for working families (HB

The COVID-19 pandemic—and the initial failed 1297) and establishing an unemployment relief fund for undocumented immigrants.

We added our power and voice to communitytive session, we knew fighting for our priorities driven legislation that matters to working people. We

> worked with labor allies to bring support to community partners' priorities, like the slate of police reform and accountability measures recently signed into law or "just cause" eviction legislation (HB 1236) that will affirm tenant rights and help keep folks housed.

These wins are made possible by coalition efforts to tackle our upside-down tax structure—moving towards the wealthy paying their fair share with a capital gains tax (SB 5096), for example—and by sourc-

ing and supporting legislative priorities from impacted communities.

The hard-won successes of this session are game changers for working people. These wins will help workers in this moment, and they'll better prepare us for a future crisis. It's clear that access to affordable housing and safe neighborhoods are public health issues, that our economic prosperity depends on working people, and that we have the power to create a safety net in Washington that benefits all of us.

But we know how power works. The push to get back to "business as usual" and revoke the gains we've made for working people this past year has already begun. Corporate CEOs and their political allies want to go back to devaluing working people and attacking our power—until the next crisis, when our work will be deemed "essential" once again. But we know that our labor, and working people, are always essential.

We know what we need: heightened health and safety protections, economic support for working people, regardless of status, and a focus on making our communities safe and affordable. These are evergreen priorities that we are committed to enshrining moving forward. The WSLC will fight to ensure that the protections and rights won for workers this past session are there to provide support now, and in the next crisis.

PRESIDENT'S **COLUMN**

Continued from Page 1

overtime pay rights to agricultural workers and reforming policing to promote accountability and discourage the unnecessary use of force. A state operating budget was approved that makes significant investments in child care, our community and technical colleges, and other essential public services.

Although there is still work to be done to protect workers' rights and to repair and build Washington's transportation infrastructure, the 2021 session felt like more than simply productive. It felt like a new day. Perhaps that's because it came on the heels of Joe Biden's election as president. The timely passage of his American Rescue Plan brought desperately needed economic relief for people and governments amid this pandemic.

And for the first time in our lifetimes, we have a president who strongly supports unions and labor law reform (the PRO Act) that will restore workers' freedom to join together and negotiate for better wages and working conditions.

Secretary

Most media coverage focuses on Americans' stark political differences. It fans the flames of daily outrages from the worst attention-seeking politicians. But this year's legislative session tells a different story. As you'll read in this 2021 Legislative Report, our state's elected officials faced the unprecedented logistical and policy challenges of a pandemic and made significant progress tackling some of our most pressing issues.

As the song goes, "there's something happening here, what it is ain't exactly clear." To me, it feels like a sea change. It feels like an opportunity to set aside cynicism and reflexive distrust of government, and to realize we're all in this together. After COVID, we don't have to settle for returning to "normal." We can truly build back better for all of us.



Farm workers and their advocates celebrate the governor's signing of SB 5172 on May 11 outside the UFCW 1439 hall in Yakima.

The WSLC Legislative Report is an annual publication of the **Washington State Labor Council, AFL-CIO**

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OVERTIME

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workers was a priority for the WSLC, the United Farm Workers (UFW) and Familias Unidas por la Justicia (FUJ). SB 5172 establishes a three-year phase-in period for the new requirement. Beginning in January 2022, overtime will be due after 55 hours of work in a week; in January 2023, after 48 hours; and in January 2024, after 40 hours. Dairy workers, unlike other agricultural workers, will immediately be due overtime pay after 40 hours, in keeping with the Supreme Court's decision in Martinez-Cuevas v. DeRuyter Brothers Dairy.

"SB 5172 will end a racist legacy and correct an injustice that has existed for too long," said WSLC President Larry Brown. "Washington's labor movement thanks Governor Inslee, all the legislators who voted to approve this bill, and the hundreds of supporters who contacted their legislators urging them to do so."

In 1938, Congress passed the FLSA, which established the minimum wage and other protections for workers. But the Roosevelt administration struck a Faustian bargain with Southern Democratic segregationists to exclude agricultural and domestic workers, denying a primarily Black workforce these protections.

In 1959, when establishing its own wage and overtime standards, Washington's Legislature adopted the same blueprint, denying farm workers—the vast majority of whom are now Latinx—decent wages and work hour protections. Slowly, over the ensuing decades, farm workers in Washington won minimum wage and rest break equity, but overtime remained out of reach.

Out of reach, that is, until two heroic workers at the DeRuyter Brothers Dairy-Jose Martinez-Cuevas and Patricia Aguilar—put their names to a class-action lawsuit challenging, among other things, the constitutionality of denying dairy workers these rights. And they

were right, as the state Supreme Court ruled in their favor in 2020.

So this year, Sen. Curtis King (R-Yakima) introduced SB 5172 in an attempt to restrict a court's ability to award back wages in such claims. Due to pressure exerted by FUJ, UFW and the labor community, and shrewd negotiation skills by Sens.



Saldaña

Karen Keiser (D-Des Moines) and Rebecca Saldaña (D-Seattle), a bipartisan Senate majority passed SB 5172 to extend overtime protections to all farm workers—not just those in dairies—while providing employers with a phased-in process and some liability protections.

In the House, efforts were made to let employers deny overtime pay during the harvest season, but a rock-

ribbed defense of the bill by Reps. Mike Sells (D-Everett) and Lillian Ortiz-Self (D-Mukilteo) kept the bill intact. Washington will now be the first state in the nation to deliver equitable overtime protections for all agricultural workers. (It will be fully implemented in 2024, beating California's phase-in by one year.)



Ortiz-Self

Overtime protections are fundamentally health and safety policies. Excessive work hours, particularly in physically demanding jobs, lead to fatigue and fatigue leads to injuries, illness and even death. Exposure to heat, pesticides and repetitive motion erodes farm workers' health and wellbeing. Overtime protections incentivize employers to balance employees' work obligations and to better compensate them for that risk.

Our state needs health system transparency

By SYBILL HYPPOLITE

Health care is increasingly corporate-driven and consolidated, with more and more hospitals and clinics being organized into large health systems – such as Providence, CHI Franciscan and Multi-Care. Fewer companies running more of the places we seek care means that healthcare prices increase while the quality of care decreases. All the while, inequities in care persist for Black, brown and Indigenous patients; and employers try to suppress workers' voice on the job. These trends are harmful for patients, workers and our communities.

Collectively, we spend a lot of mon-

ey on health care, but where is our money going? During the COVID-19 pandemic, we saw our largest health systems making questionable choices with their resources, such as reserving vaccines for wealthy donors while elders struggled to get access and furloughing healthcare workers during a health emergency. We know healthcare systems are not providing the care we need. But, we don't understand enough to make the changes that support us.

That's why health systems transparency is needed. This is a necessary step toward the health care we want: affordable, high-quality care for all of us when

we need it.

HB 1272, the health systems transparency bill sponsored by Rep. Nicole Macri (D-Seattle), will provide more

information on how healthcare dollars are spent in our state. That way, healthcare purchasers, including Taft-Hartley health plans, self-insured employers and state plans for public employees and Apple



Macri

ployees and Apple Health enrollees, can control healthcare costs and provide high-value care.

Additionally, the bill requires nonprofit health systems justify their tax-exempt status by providing more detail on their community-benefits activities: who is being served and how. To begin to address equity, the bill also requires health systems to collect information on patient demographics.

HB 1272 passed the House 58-40, was approved by the Senate 27-21, and was signed into law by Gov. Jay Inslee. Ultimately, better understanding of our state's health systems will help Washington direct money in the ways that benefit us as patients, workers and community members.

Worker safety, health is prioritized

The pandemic exposed gaps in our worker safety net, particularly for healthcare, grocery, agriculture, transit, restaurant, corrections and other frontline workers who could not work remotely. These workers' COVID-19 exposure is extremely hard to mitigate given the sheer volume of public interactions their jobs require. If they get sick, it's nearly impossible to prove it was a result of a specific occupational exposure. Plus, they may face retaliation from employers for reporting infections and safety lapses.

Fortunately, Sens. Karen Keiser (D-Des Moines) and Jeff Holy (R-Cheney) and Rep. Mike Sells (D-Everett) delivered a slate of pandemic-oriented protections for essential workers.

Keiser's SB 5115, the Health Emergency Labor Standards Act (HELSA), establishes worker protections during any health emergency, not just COVID, to ensure workers' compensation presumption in the event frontline workers get infected and cannot work. Unless contrary evidence is provided, Labor and Industries would presume the condition was a result of their work and approve the claim, pay time-loss benefits and cover medical costs.



Keiser

HELSA also requires employers to report infection outbreaks, requires the disclosure of infections to other workers on the job, and protects workers who are at a high risk for severe reactions or death due to the health emergency to ensure that they are not discharged or discriminated against.

Given the critical role of nurses and healthcare employees amid a pandemic, the Legislature gave them some special consideration by approving Holy's SB 5190. It creates a workers' compensation presumption for healthcare workers and expands unemployment insurance

eligibility for them when they can't work due to a COVID exposure.

Sells carried HB 1097, which protects workers from retaliation by authorizing L&I to impose a civil penalty against employers who retaliate against workers for filing a health-and-safety complaint; extends the number

of days a worker has to file a complaint from 30 days to 90 days after a violation occurs; and offers small business grants for employers who need assistance with safety equipment necessary to comply with L&I orders.

Unfortunately, not every worthy health-and-safety bill was passed. Sen. Derek Stanford's (D-Bothell) SB 5102 would have advanced reforms started in 2020 for workers subjected to intrusive Independent Medical Examinations in the workers' compensation system. The Senate labor



Sells

committee heard compelling testimony, including from IBEW 984 member Mario Diaz who spoke to his experience with perfunctory IMEs, and the 8-hour round trip it required. SB 5102 passed the Senate Labor, Commerce & Tribal Affairs Committee, but failed to advance from Ways and Means.

Safety protections for temp workers

Temporary workers are twice as likely to be injured on the job as their permanently employed peers. That disparity is even greater in higher risk industries such as manufacturing and construction. HB 1206, sponsored by Rep. Liz Berry

(D-Seattle), extends the same safety protections and training offered to permanent workers to temporary workers in construction and manufacturing. It passed the House 67-30, the Senate 38-11, and was signed by Gov. Jay Inslee.

HB 1206 requires increased communication between staffing agencies and worksite employers that will close safety and training gaps for temporary workers. Staffing agencies will be required to inquire about specific hazards at a given worksite and provide safety training to their temporary work-



Berry

ers. Worksites will be required to document and inform staffing agencies of the anticipated job hazards; review the training staffing agencies provide; and provide site specific training for their worksites to temporary employees.

Community, technical colleges get investment in equity, faculty

In 2020, union delegates to the WSLC Convention approved a resolution to support progressive sources of new state revenue and to use that money to prioritize investments in public education that address the legacy of racist policies that disadvantage students of color.

Washington's community and technical colleges (CTC) are the key to supporting an increasingly skills-demanding workforce and for addressing the economic gap for low-income and Black, Indigenous and people of color (BIPOC) communities. Approximately 45 percent of CTC students are BIPOC students, but the vast majority of faculty (70 percent) are adjunct and too few of them are BIPOC.

SB 5194 is the "Our Colleges, Our Future Act" sponsored by Sen. Marko Liias (D-Everett). A major priority for AFT Washington and the Communities for Our Colleges Coalition, it provides a holistic approach to addressing racial equity and economic justice in our state's CTCs. SB 5194 provides for crucial investments in diversity, equity, and inclusion for CTC students, based

on what those students have identified as core needs: wraparound services, robust



Liias

financial aid, and increasing full-time faculty positions. SB 5194 calls for the state to invest in 200 new full-time tenure track faculty positions in the next biennium, which will

enable colleges to better recruit and retain a diverse faculty.

"Students learn best from faculty that look like them, and currently our faculty is around 80 percent white people, whereas the student body is nearly 50 percent people of color," said AFT Washington President Karen Strickland. "We want to develop the next generation of faculty, especially BIPOC faculty. We can't do that if we are engaged in a race to the bottom and relying more and more on gig workers in colleges."

SB 5194 passed the Senate on a 30-19 vote, passed the House 60-38, and was signed into law by Gov. Jay Inslee on May 12.

Overwhelmed UI system gets upgrades

If there was a single notion that nearly all legislators and stakeholders agreed upon this session, it was that our unemployment insurance system utterly collapsed in the Spring of 2020, and was only able to crawl toward a recovery. People experienced extremely long waiting times, overlapping programs with differing eligibility standards, clogged phone lines, and an adjudication limbo that caused serious harm. Despite having a committed and dedicated staff, the Employment Security Department simply could not keep up with the demand under their staffing model.

While there were no silver bullets to fix ESD's problems, many of labor's strongest allies in the Legislature secured improvements that should accelerate claims processing and avoid similar problems in the future. Advocates from the Operating

Engineers, Teamsters, UNITE HERE and SEIU stepped up to ensure claimants' perspectives were heard.

SB 5193 sponsored by Sen. Steve Conway (D-Tacoma) and HB 1487 from Rep. Dan



Conway

Bronoske (D-Lakewood) will help ESD maintain and train a pool of qualified emergency adjudicators within ESD and other agencies when claim surges occur. This

should help people whose claims get stuck due to complications like ID verification as a result of another's fraud in their name.

SB 5061, a significant piece of employer-oriented UI policy by Sen. Karen Keiser (D-Des Moines), adjusted the UI premium structure to keep employers' rates from spiking. It also contained an increase in the minimum UI benefit from 15 to 20 percent of the state's average weekly wage, a \$70 per week improvement.

SB 5425 (Sen. Derek Stanford) and its companion HB 1492 (Rep. Mike Sells) ensure that claimants get federal extended benefits without misaligned state laws getting in the way. To promote job-search flexibility when in-person activities are unsafe, HB 1493 (Sells) and SB 5427 (Sen. Curtis King) will allow remote actions through 2023. HB 1455 (Rep. Gina Mosbrucker) addressed the unnecessary sharing of Social Security numbers with third parties.

Unfortunately, not every piece of good UI policy was adopted. HB 1474 (Rep. Frank Chopp), would have imposed penalties on employers that knowingly and repeatedly refuse to submit wage data to ESD, which can cause significant delays in benefit payments. SB 5064 (Sen. Rebecca Saldaña) and HB 1486 (Rep. Liz Berry) to improve benefits access for caregivers also failed to advance.

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SB 5284 (Randall)—Eliminating subminimum wage for persons with disabilities. Right vote: YES (Passed 42-7, Feb. 18)

2 SB 5021 (Hunt)—Protects public pensions from benefit cuts due to hour reductions/furloughs amid the pandemic. Right vote: YES (Passed 29-20, Feb. 23)

3 SB 5267 (Saldaña)—Requiring licensing for electrical work associated with flipping property. Right vote: YES (Passed 29-19, Feb. 25)

4 SB 5133 (Conway)—Grants employees who assist the assistant attorneys general of the Torts Division collective bargaining rights. Right vote: YES (Passed 34-15, Mar. 2)

●—"Right" vote ○—"Wrong" vote **E**—Excused (Democrats listed in **bold**.)

5 SB 5355 (Conway)—Establishing wage liens. Right vote: YES (Passed 25-24, Mar. 9)

HB 1206 (Berry)—Establishing safe-6 ty-and-health standards for temporary workers. Right vote: YES (Passed 38-11, Mar. 29)

EHB 1090 (Ortiz-Self)—Prohibiting private detention facilities. Right vote: YES (Passed 28-21, Mar. 30)

HB 1097 (Sells)—Protects workers who identify safety concerns from employer retaliation or intimidation. Right vote: YES (Passed 30-19, Apr. 6)

9 HB 1073 (Berry)—Grants paid family and medical leave to certain workers currently denied it due to insufficient hours worked. Right vote: YES (Passed 29-20, Apr. 7)

10 HB 1272 (Macri)—Improving transparency at hospitals and health-care facilities. Right vote: YES (Passed 27-21, Apr. 10)

SB 5115 (Keiser)—Creates an 11 occupational disease presumption during a public health emergency for frontline employees. Right vote: YES (Passed 32-16, Apr. 14)

2 SB 5172 (King)—Providing overtime pay rights for farmworkers. Right vote: YES (Passed 42-6, Apr. 15)

13 SB 5190 (Holy)—Providing health care workers with presumptive benefits during a public health emergency. Right vote: YES (Passed 37-12, Apr. 19)

HB 1028 (Bergquist)—Revising 4 residency teacher certification requirements. Right vote: YES (Passed 32-17, Apr. 20)

15 SB 5044 (Das)—Adds equity, diversity, inclusion and anti-racism to schools' cultural competency standards and training. Right vote: YES (Passed 29-19, Apr. 20)

SB 5097 (Robinson)—Expands 16 definition of a family member for paid family and medical leave. Right vote: YES (Passed 29-19, Apr. 20)

17 SB 5141 (Saldaña)—The HEAL Act enacting the recommendations of the environmental justice task force. Right vote: YES (Passed 27-22, Apr. 20)

18 SB 5051 (Pedersen)—Providing state oversight and accountability of police and corrections officers. Right vote: YES (Passed 27-22, Apr. 21)

9 SB 5096 (Robinson)—Establishing a state tax on extraordinary capital gains. Right vote: YES (Passed 25-24,

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The good, bad and ugly bill enoneorchine 9hnii9ni 9iiih9

Lots of bills that would have serious benefits or consequences for working families never get a full House or Senate vote. But you can tell who supports the good, bad and ugly bills by checking the list of sponsors and committee votes:



HB 1285—FRUIT AND VEG-ETABLE TAX BREAKS—Ending the B&O tax exemption for fruit and vegetable companies that violate labor laws. SPONSOR: Rep. Timm Ormsby (D-Spo-

Harris-Talley

kane) CO-SPONSORS: Reps. Ortiz-Self, Santos, Rule, Pollet,

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■ HB 1474—UNEMPLOYMENT **INSURANCE**—Strengthening penalty and audit tools for employer violations in unemployment insurance.

SPONSOR: Rep. Frank Chopp (D-Seattle) CO-SPONSORS: Reps. Ortiz-Self, Ryu, wylie, Santos, Fitzgibbon, Berry, Simmons, Sells, Lovick, Goodman, Ormsby, Valdez, Berg, Harris-Talley, Lekanoff, Stonier, Macri, Peterson, Bronoske, Pollet

■ SB 5102—**I.M.E. REFORM**— Reforming regulations for Independent Medical Examinations in workers' compensation to avoid repetitive IMEs and unnecessary delays in receiving benefits. SPONSOR: Sen. Derek Stanford (D-Bothell) CO-SPONSORS: Sens. Conway, Das, Keiser, Kuderer



■ HB 1027—WAGE AND HIRING **FREEZE** — Imposing a two-year wage and hiring freeze upon Washington state government.

SPONSOR: Rep. Jim Walsh (R-Aberdeen) CO-SPONSORS: Rep. Young

■ HB 1215—SCHOOL VOUCH-**ERS** — Establishing a "K-12 education scholarship" (voucher) program that siphons scarce funding from students in public schools and gives those resources to unaccountable private schools.

SPONSOR: Rep. Vicki Kraft (R-Vancouver) CO-SPONSORS: Reps. Young, McCaslin, Sutherland, Walsh, Graham, McEntire, Chase

■ SB 5247—**NURSE** LICEN-SURE— Creating a multi-state nurse licensing compact that lacks transparency and makes it easier for hospitals to import traveling nurses from other states to replace existing staff.

SPONSOR: Sen. Mike Padden (R-Spokane Valley) CO-SPONSORS: Sens. Rivers, Gildon, Muzzall, Wagoner, Warnick

■ SB 5197—LIMITING UNEM-**PLOYMENT INSURANCE**—Limits unemployment insurance premiums that employers pay, which costs the system resources and increases pressure to cut benefits.

SPONSOR: Sen. Mark Schoesler (R-Ritzville) CO-SPONSORS: Sens. Honeyford, King, Padden, Short, Warnick



■ HB 1245—REPEALING ESTATE **TAX**—Making the state's tax code even more regressive by repealing the estate tax, which only applies to individuals with assets over \$2.2 million.

SPONSOR: Sen. Ed Orcutt (R-Kalama) CO-SPONSORS: Sens. Dent, Sutherland, Barkis, Chase

■ SB 5143—RESTRICTING VOT-ING RIGHTS—Ending Washington's vote-by-mail system, imposing new restrictions on absentee voting, requiring voter IDs, and creating other obstacles to

SPONSOR: Sen. Doug Ericksen (R-Bellingham)

CO-SPONSORS: Sens. Fortunato, Padden, Schoesler

HOUSE

1 EHB 1090 (Ortiz-Self)—Prohibiting private detention facilities. Right vote: YES (Passed 76-21, Feb. 23)

2 HB 1206 (Berry)—Establishing safety-and-health standards for temporary workers. Right vote: YES (Passed 67-30, Feb. 23)

3 HB 1076 (Hansen)—Worker Protection Act allowing whistleblowers to seek justice in court for violations of workplace protections. Right vote: YES (Passed 53-44, Mar. 5)

4 SB 5021 (Hunt)—Protects public pensions from benefit cuts due to hour reductions/furloughs amid the pandemic. Right vote: YES (Passed 64-32, Mar. 24)

5 SB 5267 (Saldaña)—Requiring licensing for electrical work associated

with flipping property. Right vote: YES

SB 5115 (Keiser)—Creates an occupational disease presumption during a public health emergency for frontline employees. Right vote: YES (Passed 68-30, Apr. 5)

(Passed 61-36, Mar. 28)

7 SB 5284 (Randall)—Eliminating subminimum wage for persons with disabilities. Right vote: YES (Passed 75-23, Apr. 5)

SB 5097 (Robinson)—Expands definition of a family member for paid family and medical leave. Right vote: YES (Passed 55-42, Apr. 6)

9 SB 5355 (Conway)—Establishing wage liens. Right vote: YES (Passed 51-46, Apr. 6)

1 0 SB 5051 (Pedersen)—Providing state oversight and accountabili-

ty of police and corrections officers. Right vote: YES (Passed 54-43, Apr. 7)

●—"Right" vote O—"Wrong" vote **E**—Excused (Democrats listed in **bold**.)

11 SB 5133 (Conway)—Grants employees who assist the assistant attorneys general of the Torts Division collective bargaining rights. Right vote: YES (Passed 64-34, Apr. 8)

12 SB 5190 (Holy)—Providing health care workers with presumptive benefits during a public health emergency. Right vote: YES (Passed 84-14, Apr. 8)

13 SB 5172 (King)—Providing overtime pay rights for farmworkers. Right vote: YES (Passed 91-7, Apr. 9)

14 SB 5141 (Saldaña)—The HEAL Act enacting the recommendations of the environmental justice task force. Right vote: YES (Passed 56-41, Apr. 10)

15 SB 5044 (Das)—Adds equity, diversity, inclusion and anti-racism

to schools' cultural competency standards and training. Right vote: YES (Passed 57-40, Apr. 11)

16 HB 1073 (Berry)—Grants paid family and medical leave to certain workers currently denied it due to insufficient hours worked. Right vote: YES (Passed 56-42, Apr. 13)

17 HB 1097 (Sells)—Protects workers who identify safety concerns from employer retaliation or intimidation.

Right vote: YES (Passed 53-45, Apr. 13)

18 HB 1272 (Macri)—Improving transparency at hospitals and health-care facilities. Right vote: YES (Passed 57-41, Apr. 13)

19 SB 5096 (Robinson)—Establishing a state tax on extraordinary capital gains. Right vote: YES (Passed 52-44, Apr. 24)

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Bargaining rights extended to more in the AG's office

By DENNIS EAGLE

The Legislature adopted SB 5133, sponsored by Sen. Steve Conway (D-Tacoma), to extend collective bargaining rights to about 90 professional staff of the Torts Division in the Attorney General's Office (AGO).

Two years ago, the Legislature granted collective bargaining rights to Assistant Attorneys General in the AGO. The AAGs are "exempt" employees under state law, which previously precluded them from collective bargaining

law. Upon passage of this bill, the AAGs organized their unit and now about 500 new state employees enjoy the benefits of union membership.

Following the victories of the AAGs, the professional staff in the AGO moved to form their own bargaining unit. They have organized themselves, been collecting membership cards, and have filed with PERC for recognition.

During the course of their efforts, they discovered an arcane state law that prohibited staff in the Torts Division from joining their peers in this effort. SB 5133 corrects this oversight, and now about 600 more workers in the AGO office will soon be able to enjoy the benefits of union membership.

Research shows that greater union density lifts wages and benefits for all workers, lessens income inequality, and creates pathways to the middle class for underrepresented workers. Creating opportunities for more workers to join the labor movement is a critical priority for policymakers and union members supporting greater economic and social justice. SB 5133 is the latest example of how

we can support these goals through legislation, and we should commit ourselves to building on our recent successes.

Attorney General Bob Ferguson and the Legislature have supported AGO staff every step of the way, and soon the entire agency will be represented. But the real credit goes to the workers themselves who have organized themselves, collected cards, worked through applicable laws, and negotiated at the bargaining table. They are empowered and energized, and will be a great addition to the movement.

LEGISLATIVE BRIEFS

'Wage liens' help workers get what they've earned

Since 1854, in cases of wage theft, construction workers in Washington have had the right to put a lien on property on which they work. A lien provides notice that the property is part of a legal dispute, which discourages employers from hiding or transferring assets to avoid paying wages. Since 1879, farmworkers have had a similar right on crops they harvest.

This year, Columbia Legal Services and organized labor made a strong push to make this tool available to all workers in Washington who have their wages unlawfully withheld. Since 2006, the state Department of Labor and Industries has cited employers for \$33.5 million in wages owed and collected another \$25.5 million in pre-citation settlements, but \$18.6 million—almost 45% of its cited wages—have gone uncollected. And cases in the L&I system represent only a small fraction of the wage theft actually occurring in the state.

SB 5355, the Washington Wage Recovery Act sponsored by Sen. Steve Conway (D-Tacoma), lets workers who are owed wages put liens on certain property of their employers and property they work on. This puts a new tool in the hands of workers in nearly all industries, including those most vulnerable to wage theft, like janitorial, restaurants, retail, and landscape maintenance. This bill is also important for equity because wage theft disproportionately affects women, people of color and immigrants, widening already serious economic gaps.

Amid fierce opposition from corporate lobbying groups, SB 5355 got a strong push from Conway, Sen. Karen Keiser, and Reps. Dan Bronoske, Mia Gregerson and Mike Sells, and passed the Senate 25-24 and the House 51-46, and was signed into law by Gov. Inslee.

Tax break includes accountability on jobs

Machinists District 751 and the Snohomish and Island County Labor Council scored a win with the passage of legislation they supported to expand a local property tax exemption for building industrial and manufacturing facilities. This tax break was originally created after the Oso mudslide to help the surrounding communities rebuild and create family-wage jobs.

Rep. Emily Wicks (D-Everett) sponsored HB 1386

to expand this tax break, while also raising the wage standard to qualify for the break from \$18 up to \$23 per hour. Importantly, Wicks included tax break accountability language that requires employers that get this tax break to maintain those familywage jobs or else they not only lose the tax break, they have to pay backtaxes. An editorial in The (Everett)



Herald backing the bill read: "Note to Wicks' fellow state lawmakers: The next time they consider a tax break for Boeing, include Wicks on the negotiation team."

Access to paid family leave improved

Along with unemployment insurance, Washington's Paid Family and Medical Leave Insurance program is a critical feature of our social safety net for working families. Both were critical in helping keep people's heads above water during the pandemic shutdown of our economy—but only when people were able to get

their claims processed. Restrictive definitions of a family member, and lost work hours due

WSLC 2021 LEGISLATIVE REPORT

Tenants win right to counsel, other protections

By LAUREL POPLACK

During the COVID-19 pandemic, researchers estimated that up to 40 percent of renters would not be able to pay their rent once the statewide eviction ban was lifted.

With these renters facing the loss of their housing, the Legislature approved SB 5160, which made Washington the first state in the country to guarantee a statewide right to counsel for lowincome tenants facing eviction.

Sponsored by Sen. Patty Ku-

Kuderer

derer (D-Bellevue), this pivotal tenant protection will help keep people housed and decrease the likelihood of eviction, which is the leading cause of houselessness in the United States. The bill also established the tenants' right to a payment plan and protection against eviction due to nonpayment of rent during the pandemic. This policy was built on years of groundwork from community organizations, organizers, and Rep. Nicole Macri (D-Seattle).

"It's scary to stand up to landlords. They can make us homeless," said Tarra Villabila of the Bellingham Tenants Union at a SB 5160 hearing. "Access to legal aid would change this imbalance of power."

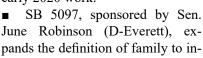
After passing the Senate, SB 5160 was approved by the House with bipartisan support, and was signed into law by Gov. Jay Inslee on April 22.

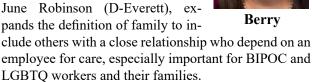
Laurel Poplack was the WSLC's Legislative Intern.

to shutdown closures denied PFMLI to far too many workers this year when they needed it the most.

Two policy changes were approved to make PFMLI more equitably accessible:

■ HB 1073, sponsored by Rep. Liz Berry (D-Seattle), allows workers impacted by COVID layoffs to qualify for PFMLI based on 2019 or early 2020 work.





Both passed and were signed by Gov. Inslee.

Inslee, Legislature step up for immigrants

Immigrants are essential workers in Washington's biggest industries, including agriculture, construction and health care. COVID-19 disproportionately impacted their communities, both in terms of higher infection rates and loss of employment/income during the pandemic. And while most immigrants (regardless of immigration status) pay local, state and federal taxes, about 250,000 immigrants in Washington state did not have access to any federal assistance, stimulus funds or unemployment benefits that other workers did.

That's why the WSLC joined the Washington Immigrant Solidarity Network in urging Gov. Jay Inslee to create an Immigrant Relief Fund. Last fall and winter, the governor dedicated \$62 million of the state's federal pandemic assistance to create the fund, and distributed \$1,000 per person (up to \$3,000 per household) to residents who are ineligible because of immigration status for federal stimulus funds or unemployment benefits.

When the Legislature convened, it quickly allocated another \$65 million to the fund, which was distributed in April and May. They again stepped up in a big way by providing another \$340 million in immigrant relief funds in the 2021-23 biennial budget. That money will go a long way to help immigrant communities survive the economic hardships of the pandemic. Gov. Inslee and the Democratic leaders who included this appropriation deserve our thanks.

Juneteenth is now a state holiday

Juneteenth, celebrated on June 19, is an important day for Black Americans. Also known as Emancipation Day and Freedom Day, it marks the day in 1865 when Union soldiers arrived in Galveston, Texas, to inform the enslaved Black folks there that they were free.

GOOD LITTLE BILLS

Not every bill the Legislature passes grabs headlines, but a lot can be accomplished with these "good little bills" and 2021 had its share:

- SB 5356 (Sen. Shelley Short) Public Works/ Bidding—Fulfills the promise made by 2020's important Bid Listing bill for public works by correcting a one-word omission to ensure that bids on public works projects are managed fairly.
- SB 5267 (Sen. Rebecca Saldaña) House Flippers/Electrical—Requires that electrical work in "flipped" houses be done by licensed electricians, closing the home-owner loophole in certain limited circumstances.
- SB 5284 (Sen. Emily Randall) **Subminimum** Wages/Disabilities—Ends the practice of employers paying less than the state minimum wage to workers with disabilities.
- HB 1455 (Rep. Gina Mosbrucker) SSNs L&I/ ESD—Protects Social Security numbers from being shared with certain third parties by Labor & Industries and Employment Security.
- SB 5385 (Sen. Karen Keiser) Municipal Airports—Adjusts the definition of certain airports for purposes of protecting important minimum wage standards established by neighboring cities.
- HB 1022 (Rep. Drew MacEwen) Horse Racing Commission—Gives the horse racing commission temporary flexibility to use certain state funds to sustain its work, a necessity given the loss of the agency's revenue due to the pandemic.

HB 1016, sponsored by Rep. Melanie Morgan (D-Parkland), makes Juneteenth an official state holiday in Washington and June 19 a paid day off for state workers starting in 2022.

"I believe it's another step towards declaring Washington state as an anti-racist state, which leads to reconciliation, healing, and true inclusion," Morgan said.

Racism in health care

Racism and bias in health care have created real, lasting damage to human lives, to communities and to trust in the medical system. SB 5229, sponsored by Sen. Emily Randall (D-Bremerton), ensures that all licensed healthcare workers will receive health equity continuing education. It will provide knowledge and skills for equity within their scopes of practice and challenge systemic racism and other forms of discrimination.

Major climate action, but Inslee vetoes draw ire

In addition to urgent pandemic-related legislation, the 2021 Legislature also set out to address the mounting threat of climate change. The WSLC's affiliated unions have repeatedly passed resolutions in support of climate action.

Two climate policies of particular significance were the Climate Commitment Act, SB 5216 sponsored by Sen. Reuven Carlyle (D-Seattle), and the Clean Fuel Standard, HB 1091 by Rep. Joe Fitzgibbon (D-Burien). With their passage and past policies enacted, Washington now has one of the nation's most ambitious suite of policies to tackle climate pollution. The coalitions that supported these policies were expansive, including equity and environmental justice voices, a number of unions, energy businesses, utilities, and others.

But it did not happen without controversy. Selective vetoes by Gov. Jay Inslee have angered legislative leaders of both parties, and advocates for passage of a robust transportaton package.

The Climate Commitment Act (CCA) adopts economy-wide carbon pricing. It imposes a firm and declining cap on approximately 80 percent of the

A win for environmental justice

The Legislature passed and the governor signed into law SB 5141, the Healthy Environment for All Act (HEAL Act). This legislation addresses the disproportionate exposure to environmental hazards suffered by Black, Indigenous, and people of color, along with low-income communities across Washington, putting them at higher risk of adverse health outcomes.

The HEAL Act, sponsored by Sen. Rebecca Saldaña (D-Seattle), directs

state's greenhouse gas emissions, cover-

ing emissions from natural gas, electric-

ity, transportation, industry, and more.

The bill extends protections to emissions

intensive and trade exposed industries

like aluminum, aviation, and pulp and

of \$7 billion by 2037 (and more after),

with \$5.2 billion dedicated to transpor-

tation projects that reduce carbon, and

the balance dedicated to carbon reduc-

tion in other sectors, forest management

The CCA will invest a minimum

paper through at least 2035.

state agencies on how to incorporate environmental justice principles to reduce health disparities when implementing



Saldaña

policies and programs. Environmental justice is the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect

to the development, implementation and enforcement of environmental laws.

and wildfire reduction, and more. Investments funded under CCA are restricted to projects that meet high labor standards. The Clean Fuel Standard (CFS) will

require reductions in the carbon intensity of transportation fuels by 20 percent by 2038. It will reduce greenhouse gas emissions in oil refining and extraction and promote alternatives like biofuels, electricity, hydrogen and renewable natural gas. Utilities will invest nearly \$1.5 billion in alternative fuel deployment by 2030, including electrification projects

and electric vehicle incentives.

In both bills, a third of the funds must benefit communities disproportionately burdened by climate change and fossil fuel pollution—overwhelmingly communities of color and tribal nations.

As approved by the Legislature, both policies were to take effect after the passage of a transportation package that included a 5-cent gas tax increase. Calling it a "grand bargain," legislative leaders said that linkage was needed to secure enough votes for passage. Although a transportation package did not pass by the session's end, most anticipated a special session later this year to do so.

However, in signing the CFS and CCA, Inslee vetoed the sections making them contingent on passage of the gas-tax increase, saying the provision "unnecessarily hinders our state's ability to combat climate change." He also vetoed guarantees of tribal consultation and protections in the CCA. Legislative leaders of both parties consider the selective vetoes to be illegal and are suing to have them overturned. In the meantime, all say they remain committed to passage of a transportation revenue package.

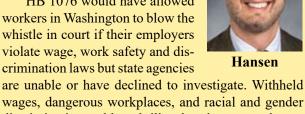
UNDONE

Continued from Page 1

safety and discrimination laws. It passed the House of Representatives 53-44 and the Senate Committee on Labor, Commerce & Tribal Affairs. But it failed to

clear the Senate Ways and Means Committee despite a broad swath of labor and community organizations supporting its passage.

HB 1076 would have allowed workers in Washington to blow the whistle in court if their employers violate wage, work safety and dis-



wages, dangerous workplaces, and racial and gender discrimination—although illegal under current law are real problems that are hurting workers in Washington, particularly Black and Indigenous folks and people of color. Legislators heard compelling testimony from workers on why HB 1076 is needed.

1076) will be a major step in the right direction for workers at my place of work and for others who work in the agricultural industry."

The WSLC will continue to take up HB 1076 with senators who wouldn't support the bill this year.

"The Worker Protection Act will continue to be one of our top legislative priorities until it is signed into law," said WSLC President Larry Brown. "Workers must be given an opportunity to seek justice and fairness in court. This has worked elsewhere to protect workers and improve employer compliance, and one day, it will work here in Washington."

A failure to fund transportation needs

Another major disappointment in an otherwise productive session was the Legislature's failure to adopt a transportation investment package. Substantial underfunding of transit and road maintenance predates the COVID-19 recession, but the revenue hits that transportation has experienced over the past year—more severe than the other budgets Washington enacts biennially—make investment urgent.

A new report found that the state would need to spend \$14.8 billion over the coming decade just to maintain in "minimally acceptable condition" the roads, ferries and bridges faster than they crumble. That's twice the current spending on preservation. But we also must fund marquee projects like the I-5 bridge across the Columbia River, the US-2 trestle, the West Seattle bridge, and more. There are also legal and moral obligations to tribal nations to address fish passage concerns by repairing and replacing culverts.

This session, the House Democrats' Miles Ahead package, led by Rep. Jake Fey (D-Tacoma), was a \$22 billion proposal with around \$7 billion dedicated to decarbonization, including transit and electrification, and the balance to culverts and road projects. The Senate Democrats' Forward Washington package, led by Sen. Steve Hobbs (D-Lake Stevens), proposed an \$18 billion suite with a somewhat greater emphasis on roads and lower gas-tax levels. Both proposals included funding for the aforementioned marquee projects. But neither of these proposals saw a full vote on the floor of their chambers.

The Legislature did pass an \$11 billion biennial transportation budget, supplemented by \$1 billion worth of federal aid, with \$400 million dedicated to meeting this biennium's culvert obligation and the balance to a variety of transportation backfills. But that won't cover existing preservation needs, much less major projects and other mounting obligations.

Wide support from labor, environmental, and business stakeholders proved insufficient to dislodge an investment package this session, but the need is only increasing. Legislators say they're still working on a solution this interim. Gov. Jay Inslee's controversial vetoes (see story above) must not be used as excuses to avoid making this investment this year.

"I have personally experienced working condi-

tions that do not comply with labor laws," said Agustin Lopez, who works in a Yakima Valley fruit-packing warehouse. "It is very sad but many of my coworkers are too fearful to make formal complaints. They do not want to lose their job and income. ... I think (HB

OVERVIEW

Continued from Page 1

Health and safety improvements were also elevated this session as it became clear that existing protections failed to meet the needs of those unable to work remotely. A robust set of health emergency labor standards were adopted for frontline workers to better secure the promise of workers' compensation benefits, protect them from retaliation, and to ensure that COVID outbreaks on the job are reported to the state Department of Labor and Industries so proper safety measures can be better established.

Several bills also passed to improve social insurance programs, including two to improve access to our Paid Family and Medical Leave Insurance program, and several that improved unemployment insurance benefits—as well as access to those benefits for job-seekers stuck waiting for them.

But not every advancement was a function of the pandemic. Collective

bargaining rights were secured for an additional group of workers at the Attorney General's Office who sought the fourth straight year that bargaining rights have been expanded for public workers in Washington. Plus, hospitals and other elements of our healthcare system were required to provide more transparency for how they spend money.

Important advancements toward a more equitable society were also achieved. The HEAL Act was approved to provide a more robust framework for environmental justice and to include the voices of communities of color in policy decision making. And a litany of bills geared toward holding our policing agencies and officers more accountable were also adopted, touching on police certification, use of force, tactics, peer accountability, and data collection.

The State Legislature approved a \$59 billion operating budget for 2021-23 that was bolstered by \$10 billion in federal assistance via the American Rescue Plan Act. Lawmakers passed a historic

\$6.3 billion capital construction budget portation investment package. With sigto expand broadband access across the nificantly reduced gas tax and toll colstate, grow affordable housing, invest in lections, the long-term viability of much right to organize a union. It marks the state parks, and put people to work conneeded transportation infrastructure is structing buildings on our university and community college campuses and for our K-12 schools.

> These investments were possible in large part due to a sharp fiscal recovery as our economy began to restart after nearly a year of closed businesses and suppressed consumer spending. But credit is also due to a mindset more interested in meeting the needs of people, than falling into failed patterns of austerity and slashing budgets. The passage of an excise tax on extraordinary capital gains—the sales of stocks and bonds over \$250,000 per year—coupled with the Working Families Tax Rebate, raised more money for schools, while also putting more cash back in the pockets of the Washington families who need it the most.

> However, despite all these advances, issues important to the labor community were left on the table. Of particular concern was the failure to pass a trans-

at risk. While the biennial transportation budget was buoyed by \$1 billion in federal aid, significant investments are necessary to meet project commitments from previous years, to invest in transit options, and to replace and maintain core elements of our transportation infrastructure like the I-5 bridge over the Columbia River.

Finally, the failure of the Senate to advance the Worker Protection Act, which would allow workers and their advocates to enforce certain labor laws, was deeply disappointing. Significant effort was made to address the stated concerns of skeptics and opponents. But even so, the Senate Ways and Means Committee failed to advance it. The labor community will return to the 2022 Legislature with this bill as a priority, and will spend the interim laying the groundwork for its passage.

WSLC 2021 LEGISLATIVE REPORT

Labor backs multiple police reform bills

By JOE KENDO

At the 2020 Convention of the Washington State Labor Council, AFL-CIO, delegates approved Resolution 18 in support of policing reform, and for good reason. The resolution quotes WSLC Secretary Treasurer April Sims, who said:

"Policing in America is too often violence, disproportionately directed at Black communities. There are clear, systemic causes leading to the hyper-policing of Black bodies. We are not experiencing mass psychosis affecting police departments across the U.S. Rather, this police violence, primarily targeting Black Americans, is the system of policing operating as designed."

The resolution tasks the WSLC with supporting reforms to policing that make the system accountable to the communities it is supposed to serve, while also upholding core labor values like collective bargaining. While the work is incomplete, the 2021 session was largely successful with several significant reforms that the WSLC supported being signed into law.

This work would not have been accomplished had it not been for the families of victims of police violence who led community organizations in the Coalition for Police Accountability. They challenged legislators, police departments, and the labor movement to face the real harm many of our laws cause by perpetuating a system of policing that is racist, and is rarely held accountable for any but the most egregious violations of people's rights, particularly those of Black people.

Gov. Jay Inslee signed 12 bills to reform these systems, addressing use of force and tactics, data tracking and records coordination, independent investigations of excessive use of force, and a new system of police training, certification and decertification under a reformed Criminal Justice Training Commission.

Perhaps the most significant bill, mainly by way of weaving them all together in a policy reform lattice, was SB 5051, sponsored by Sen. Jamie Pedersen (D-Seattle). This new law restructures the Criminal Justice Training Commission (CJTC) by including

non-police commissioners on the commission itself who will now lead the agency responsible for training and licensing most law enforcement officers. The bill further improves background check requirements for new police and corrections officers, and expands the types of conduct for which an officer may be held accountable by the commission,



Pedersen

including the loss of their certification.

On May 18, Inslee also signed into law:

■ HB 1054 (sponsored by Rep. Jesse Johnson, D-Federal Way)—Prohibits the use of chokeholds and neck restraints by officers, restricts use of tear gas, firing on moving vehicles and vehicular pursuits, and prohibits the use of warrants that do not require officers to announce themselves (known as "no-knock" warrants). It also requires law enforcement



Johnson

agencies to develop policies to ensure officers are reasonably identifiable as they perform their duties.

- HB 1088 (Rep. John Lovick) —Requires police to disclose information about officers' misconduct that may affect their credibility as witnesses.
- HB 1089 (Rep. Bill Ramos)—Requires the State Auditor to review all investigations into use-of-force incidents to ensure rules and policies were followed.
- HB 1140 (J. Johnson)—Concerning juvenile access to attorneys when contacted by law enforcement.
- HB 1223 (Peterson)—Requires police to electronically record custodial interrogations.
- HB 1267 (Rep. Debra Entenman)—Establishes the Office of Independent Investigation within the

Governor's Office to investigate deadly use-of-force incidents involving law enforcement officers.

- HB 1310 (J. Johnson)—Establishes a statewide standard for use of force by police and correctional officers, restricts use of force, and requires police to exhaust deescalation tactics before
- using force. ■ SB 5066 (Sen. Manka Dhingra) — Requires officers who see other officers using or attempting to use excessive force to intervene



Dhingra

and to report wrongdoing by fellow officers. Officers must also render aid to anyone injured by use of force at the earliest safe opportunity. It also prohibits retaliation against officers for following this law.

- SB 5259 (Sen. T'wina Nobles)-Provides for the creation of a use-of-force data collection system developed jointly by nonprofit and community groups, and law enforcement agencies.
- SB 5263 (Sen. David Frockt) —Concerning defenses in personal injury and wrongful death actions.

A \$59 billion biennial budget



■ SB 5353 (Rep. Steve Conway) —Creating a partnership model that facilitates community engagement with law enforcement.

While the 2021 police reform agenda was robust, it is far from complete. Many U.S. institutions were built on racist foundations and our national reckoning with that reality has lasted as long as the republic itself. Policing is a part of that legacy and it will take time to unravel it—time and vigilance. As these laws are implemented, and as the lived experience of people subject to policing is revealed, we must reassess them to meet the needs of the people of Washington, the need to be protected and safe, and the need to secure the rights of those who have had them denied.



Rep. Noel Frame (D-Seattle) ensured

that the revenues collected from this new

resource will be directed to the Educa-

tional Legacy Trust Account, which sup-

ports K-12 schools and early learning

initiatives. Importantly, it finally creates

a revenue option that does not ask more

passed. Modeled after the federal Earned

Income Tax Credit, the state program

will provide tax rebates of between \$300

and \$1,200 to some 420,000 households

starting in 2023. HB 1297, sponsored

by Rep. My-Linh Thai (D-Newcastle),

has moved the needle toward tax fair-

ness. It took nearly 10 years of hard work

by unions, progressive think tanks, faith

organizations, communities of color, and

thoughtful legislators. Now Washington

is better poised to fund the services the

people of our state want, while ensuring

that the wealthiest pay their fair share.

With these two bills, the Legislature

passed with near-unanimous support.

Thai

of working families

legislators also ap-

proved funding for

the Working Families

Tax Rebate—more

than a dozen years

after it was initially

Meanwhile,

and wage earners.

REVENUE

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just to get by pay a greater percentage in taxes. Wealthier people contribute a far, far lower percentage of their income. The lowest 20% of earners pay nearly 18% of their incomes in state and local

taxes, while the top 1% pays 3% or less.

With the adoption of the capital gains tax, the state now has a tool to strike a better balance. SB 5096, sponsored by Sen. June



Robinson

Robinson (D-Everett), creates a 7% tax on more than \$250,000 per year in profits

from the sale of certain capital assets stocks-while exempting the sale of homes and other real estate, timber, and small businesses. Forty three other states have



Frame

similar taxes on the super Amendments wealthy.

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raises the revenue and directs the spending that serves the people of Washington. This year, buoyed by billions in aid from the federal government, as well as additional revenue from such sources as the new tax on extraordinary capital gains, the operating budget was over \$59 billion for the 2021-2023 fiscal biennium.

Each odd-numbered year the Legislature approves a biennial budget, which

"It has been a roller coaster of a year for communities across the state. This budget reflects the sacrifices so

many have made and reinforces our values. No matter your background or how much you earn, we will be there for you and help the hardest hit by this pandemic recover," said House



Ormsby

Appropriations Chair Timm Ormsby (D-Spokane), who worked closely with Senate Ways and Means Chair Christine Rolfes (D-Bainbridge Is.) on the budget.

These resources provide compensation for public employees, health care for those who cannot access it, K-12 basic education and higher education programs, workplace wage and safety enforcement, public safety, paid family and medical leave, public health, and a litany of other public services.

Here is a sample of the programs funded by the Legislature this year:

- State Employee Collective Bargaining Agreements ratified and fully funded.
- \$340 million in immigrant relief funds for those disqualified from UI benefits.
- \$70 million for UI customer service improvements and fraud prevention.
- \$658 million in rental assistance.

- \$233 million to discontinue state employee furloughs.
- \$261 million to fund the Working Families Tax Rebate.
- \$172 million for temporary paid family leave insurance eligibility expansion for those short of qualifying work hours.
- \$50 million to support UW and WSU medical schools.
- \$10 million for CTC job skills programs.
- \$151 million for K-12 transportation.
- \$15.8 million for Higher Education Guided Pathways program.
- \$16.1 million to make access to higher ed more equitable.
- \$127.7 million for Behavioral Health provider rate increase. ■ \$125 million for Wildfire Prevention and Forest Health



Further, Congress passed the American

Rescue Act Plan in March 2021, allocating the following resources in either the current biennium, or the next:

- Coronavirus State Fiscal Recovery: \$4.253 billion to invest in infrastructure, replace lost revenue due to pandemic, and other pandemic related spending.
- □ \$1.0 billion to stabilize the transportation budget.
 - □ \$400 million to the Capital budget.
 - □ \$2.04 billion to the Operating Budget
- Education Stabilization: \$1.85 billion for public school supports, and \$655 million for institutions of higher education.
- Coronavirus Local Fiscal Recovery: \$483 million for cities (plus \$701 million to larger cities from the federal government) and \$1.48 billion for counties.
- Childcare Development: \$244M
- Childcare Stabilization: \$391 million
- Housing & Utility Assistance: \$404M.