

Paid Family & Medical Leave Advisory Council			
Meeting	Date: February 23, 2018	Time: 10:00 a.m. to 12:00 p.m.	Location: ESD 212 Maple Park AVE SE Olympia
Attendees	Department Representative: Cami Feek, Paid Family and Medical Leave Director Employer's Interests Representative: Julia Gorton Employer's Interests Representative: Bob Battles Employer's Interests Representative: Christine Brewer Employee's Interests Representative: Samantha Grad Employee's Interests Representative: Joe Kendo Employee's Interests Representative: Marilyn Watkins Guests Project Manager for Usability & Accessibility: Wendy Wickstrom Paid Family and Medical Leave Lead Policy Analyst: Jason Barrett Paid Family and Medical Leave Communications Manager: Clare DeLong		
Members Absent	Paid Family and Medical Leave Act Ombuds: TBD Employee's Interests Representative: Maggie Humphreys Employer's Interest Representative: Tammie Hetrick		
Scribe	Tracy Moore		
PowerPoint	February 2018 PowerPoint		

Welcome and Introductions: Cami Feek, Paid Family and Medical Leave Director

- The meeting started with a roundtable introduction of those present.
- Reviewed previous meeting minutes and approved to be posted.

WaTech Paid Family and Medical Leave Usability & Accessibility: Wendy Wickstrom

- Wendy spoke about how WaTech will be assisting Paid Family and Medical Leave to ensure our program is usable and accessible to anyone to engage with our program
- Prior to project implementation, WaTech will be conducting:
 - Stakeholder interviews
 - User interviews and Surveys
 - Comparative analysis
 - Journey mapping
 - UX requirements development
- Timeline
 - WaTech will begin seeking users for research within the next month or so
 - 6-8 months before testing begins
- Who, when, how long?
 - 6-12 users per user role (for example: small business owner)
 - Can't participate more than once per year.

Communications Update: Clare DeLong

- [Paid Family & Medical Leave – Overview](#) Video
- What we've been up to:
 - Outreach
 - Updates on Bi-Weekly basis
 - Legislators
 - Listserv – 1,800!
 - Inside ESD
 - TSB & other presentations
 - Public Comment portal
 - CA Paid Family and Medical Leave Check-In
 - Shareable Content
 - Communications & Project Team created the above linked Video (600+ views)
 - [Employer/Employee FAQs](#)
 - [Paid Family Medical Leave vs Paid Sick Leave](#) handout updated for clarification and feedback received during last meeting
- What's Next
 - Outreach
 - Voluntary plan outreach
 - Outreach timeline
 - Outreach coordinator hiring
 - Usability testing volunteers
 - Language & Accessibility research and planning
 - Shareable Content
 - Branding & Social Media
 - Premium estimate calculator will be posted on website
 - Internal templates
 - E-Learning (training) being developed by Training Manager
 - Other
 - Hiring fair on Monday 2/28
 - Messaging templates & Communications process set up and planning (ongoing)

Policy Update: Jason Barrett

- Draft 2 of phase 1 rules posted
 - [Phase 1 Rulemaking Timeline](#)
 - Substantive Changes:
 - Self-employed individuals opting in
 - Coverage will begin the following quarter
 - Individuals may provide specific documentation to overcome department denial of eligibility
 - New Employer size assessment
 - Employers with less than four quarters of reporting will have their size determined after their first full quarter of reporting for the purposes of premium liability

- Information request for voluntary plan employers
 - Employers with a voluntary plan can request benefit information from a previous employer to prevent excessive benefit allowance
- Voluntary plan benefit eligibility
 - Employers with a voluntary plan may offer eligibility requirements that are more generous than the state requires
- Voluntary plan reapproval
 - The annual reapproval of a voluntary plan that is required by statute for the first three years is not subject to the \$250 application fee
- Pre-102 scheduled on March 6th
- Public Hearing in May
- Phase 2 topics
 - Employer reporting and recordkeeping
 - Penalties
 - Small business grants
 - Phase 2 Timeline is tentative

Suggestions on Data Collection: Adam Lind

- Significance Analysis & Small Business Economic Impact Study
 - Required by RCWs
- Seeking suggestions and feedback on how to collect information (what costs will be imposed on workers and employers due to delay imposed by WAC)
- Adam's Overview:

The following are the WACs that will (as of our best present estimation) require a Significance Analysis:

- 1) These WACs concern opting into the Paid Family and Medical Leave program for persons who are self-employed.

[WAC 192-500-210\(2\)](#)

[WAC 192-500-210\(3\)](#)

Ideally, we would like to estimate the costs of gathering tax information, bank statements, personal logs, contracts, or other documentation that supports a self-employed person's claim that he or she worked a specific number of hours for the purposes of determining Paid Family and Medical Leave eligibility.

- 2) These WACs concern the establishment of January 1st as the beginning effective date for voluntary plans.

[WAC 192-500-600\(3\)\(a\)](#)

[WAC 192-500-600\(3\)\(b\)](#)

We would like to estimate the costs associated with delaying the implementation of voluntary plans to both employers and employees. Specifically, what are the costs imposed on workers who could potentially benefit from higher levels of benefits under a voluntary plan? Are there

any costs to employers for delaying the implementation of a voluntary plan until Jan. 1st? Are there any benefits to delayed implementation?

- 3) Sub-section (3) requires employers with voluntary plans to check with ESD prior to distributing a benefit to ensure that the benefits allocated under the voluntary plan are at least as generous as those provided under the State plan. Sub-section (4) requires employers with voluntary plans to notify ESD when a newly hired worker is eligible for benefits under the voluntary plan (i.e. they pass the 340 hour threshold).

[WAC 192-500-640\(3\)](#)

[WAC 192-500-640\(4\)](#)

Both sub-sections impose an administrative burden on employers. What are the costs associated with these burdens? Specifically, how much time is likely to be spent checking to make sure benefits are at least as generous/reporting new hires to ESD? What sorts of workers would be performing these administrative tasks on behalf of the employer. What is a “typical” rate of pay for the type of worker who would be charged with such administrative tasks?

My feeling is that if we could establish a couple of focus groups (at least one with self-employed persons and at least one with employers who are considering voluntary plans) we could not only gather information needed to help complete the SA and SBEIS components of the CR-102 process, but we would also likely gain valuable insight into how we ought to design our technology solutions. I think it might be a good idea to start including employer (and worker) feedback directly into the business process design earlier rather than later.

Public Comment

- No Comments