



2023 Session Wrap-Up

Bills that passed the Legislature and impact the Department of Labor & Industries

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Budget Overview

| 2023-24 Biennial Operating Budget Requests | |
|--|---------------------|
| Requests | Appropriations |
| WCSM | \$9,425,000 |
| Conveyance Management System | \$1,134,000 |
| Prevailing Wage IT | \$2,908,000 |
| Mental Health Claims (Psych as an A/P) | \$528,000 |
| Plumber License Cleanup | \$560,000 |
| New Self-Insurance Reserve Fund | \$168,000 |
| Equity for Underserved Workers | \$2,760,000 |
| Center for Work Equity Research | \$1,756,000 |
| Enhanced Workers' Comp Training | \$1,712,000 |
| Enhanced Provider Support and Outreach | \$1,363,000 |
| Fleet Rate Adjustment | \$332,000 |
| Lease Rate Adjustment | (\$2,072,000) |
| Crime Victims Benefits | \$1,476,000 |
| 2076 TNC FN 22 Session | \$2,487,000 |
| Apprenticeship Retention Study | \$410,000 |
| Lab Facilities Staff | \$721,000 |
| SUBTOTAL | \$25,668,000 |
| Grants | |
| Apprenticeship Support Services Grant | \$3,500,000 |
| Behavioral Health Apprenticeship | \$3,000,000 |
| Behavioral Health Pre-Apprenticeship | \$1,000,000 |
| Construction Pre-Apprenticeship | \$300,000 |
| Electrician Apprenticeship RSI | \$6,000,000 |
| Farm Worker Peer Training | \$330,000 |
| Meat cutter/Fishmonger Apprentices | \$400,000 |
| SUBTOTAL | \$14,530,000 |
| Bills Funded in the Budget | |
| SB 5070 Nonfatal Strangulation | \$466,000 |
| SB 5111 Construction Workers Sick Leave | \$271,000 |
| SB 5156 Farm Internship Program | \$253,000 |
| SB 5217 Musculoskeletal Injuries | \$1,730,000 |
| SB 5236 Hospital Staffing Standards | \$5,547,000 |
| SB 5268 Public Works Procurement | \$354,000 |
| SB 5454 Registered Nurses PTSD Insurance | \$666,000 |
| SB 5582 Nurse Supply | \$275,000 |

| | |
|-------------------------------------|---------------------|
| HB 1050 Apprenticeship Utilization | \$1,645,000 |
| HB 1013 Regional Apprenticeship | \$507,000 |
| HB 1534 Construction Consumers | \$256,000 |
| HB 1323 Fire Resistant Materials | \$124,000 |
| HB 1521 Industrial Insurance Duties | \$478,000 |
| HB 1217 Wage Complaints | \$429,000 |
| HB 1762 Warehouse Employees | \$1,554,000 |
| SUBTOTAL | \$14,555,000 |
| Items Added not in a Bill | |
| Technical Corrections | (\$322,000) |
| Electrical Construction Inspectors | \$6,702,000 |
| Opioid Settlement Funds - Research | \$250,000 |
| SUBTOTAL | \$6,630,000 |
| TOTAL NEW APPROPRIATIONS | \$61,383,000 |

| 2023-25 Biennial Capital Budget Requests | |
|---|-----------------------|
| Governor's Requests for L&I | |
| Requests | Appropriations |
| Interior Lighting and Control Upgrade | \$1,925,000 |
| Solar Panel Installation – Lab & Training Facility | \$3,734,000 |
| Minor Works Preservation Project | \$1,996,000 |
| REAPPROP – Air Handler Retrofit and Cooling Tower Replacement | \$4,100,000 |
| REAPPROP – Modernize Lab and Training Facility | \$11,590,000 |
| TOTAL NEW APPROPRIATIONS | \$23,345,000 |

Agency-request legislation

The department of Labor & Industries (L&I) requested four proposals in the 2023 legislative session.

- **HB 1197 (Bronoske) Allowing psychologists to be attending providers for workers' comp mental health-only claims.**

The new law allows doctoral-level psychologists who meet the licensing requirements to act as the Attending Provider (AP) for mental health-only workers' comp claims.

The AP is responsible to file the claim, certify time-loss, coordinate care, determine work restrictions, and recommend when a worker has reached maximum medical improvement. Current law does not include in one place a definition of "Attending Provider" but the examples of providers in this role include physicians, licensed registered advanced nurse practitioners, chiropractors and others. Excluded from the list are psychologists, even though these are often the provider treating claims such as Post Traumatic Stress Disorder (PTSD). Expansions in workers' comp to cover work-related PTSD where there is not also a physical injury or illness have exposed a problem for workers with these claims: there is a shortage of clinicians willing to take on mental health-only claims who are permitted to be attending providers (APs). This will help address the shortage so that the department has an attending provider to actively engage in the management of the claim; the worker has greater and quicker access to needed treatment; and the employer welcomes a healthy employee back to work with lower claim costs.

- **SB 5084 (Braun) – Creating a self-insurance reserve fund.**

The new law creates a new self-insurance reserve fund to hold self-insured pension assets and liabilities. Currently state fund and self-insured pensions are deposited into a single pension reserve fund. This proposal has two phases: the first is to capture the interest earned in a sub-fund, the second injury fund, effective July 1, 2023; the second phase would create a new account to separate out self-insured pensions and second injury fund assessments from the state fund. These changes would result in:

- Making self-insured second injury assessments less volatile by allowing investment income to be earned and reducing the need for a large fund balance; Making financial statements more transparent; and reducing the risk of inadvertent subsidization between self-insurance and the state fund.

- **5088 (Keiser) - Updating references to plumbing contractor chapter in workers' comp, public works and prevailing wage laws.**

In 2020, the legislature made major revisions to plumber contracting requirements, including creating registration requirements specifically for plumbing contractors and moving those requirements from the general contractor law (RCW 18.27) into the existing plumbing chapter (RCW 18.106). When that move was made, rights and responsibilities for contractors in workers' comp, public works and prevailing wage laws that had applied to plumbing contractors were inadvertently left out, resulting in a need to add those back into the law. These changes add references to the new plumbing contractor law, restoring prior requirements for workers' comp, public works and prevailing wage law.

The new law includes these new additions:

- References to electrical and elevator contractors are added in the public works statute so that an awarding agency may not award a contract to an unlicensed contractor, and in the prevailing wage law so that an unlicensed contractor is subject to debarment (may not bid on public works contracts for a period of time) after 2 violations.
- References to elevator contractors are added to the list of licenses that must be verified prior to subcontracting on a public work and that, for prevailing wage purposes, they must be a licensed contractors and meet the other six-parts of the test to be considered an independent contractor and exempt from prevailing wage requirements.
- **SB 5089 (King) - Adding board members and other changes in Factory Assembled Structures.**

This law increases representation on the Factory Assembled Structures Board from nine members to “at least 11” to include additional industries, trade participation, and diversity considerations. It also updates references to rules and agencies that have been replaced or renamed, such as references to the Department of Community Trade and Economic Development; change the word order referring to “manufactured and mobile homes” to make more consistent with current usage; and explicitly state that installation must conform with all related standards.

Admin Services-related bills that passed the legislature:

| 2023 Session | | |
|----------------------------|---|---|
| Bill Number | Bill Title | Short bill description |
| SHB 1501 | Authorizing additional counseling services for immediate family members of homicide victims. | This bill allows the Crime Victims Compensation Program to provide more than 12 counseling sessions to the immediate family members of a homicide victim. |
| Executive Sponsor | Rulemaking required | Workgroup or Report required |
| Doug Rohr & Wesley Kirkman | No | No |
| Bill Number | Bill Title | Description |
| ESHB 1533 | Exempting the disclosure of certain information of agency employees or their dependent who are survivors of domestic violence, sexual assault, harassment, or stalking. | This bill protects state employees or their dependents who are victims of domestic violence, stalking, harassment or sexual assault from disclosing certain information that could be used to determine the exact work location of the employee if they provide the agency a sworn statement. |
| Executive Sponsor | Rulemaking required | Workgroup or Report required |
| Doug Rohr & Wesley Kirkman | No | No |
| Bill Number | Bill Title | Short bill description |
| SB 5070 | Concerning victims of nonfatal strangulation. | This bill amends RCW 7.68.803 to remove a one-time reporting requirement and removing the expiration date. |
| Executive Sponsor | Rulemaking required | Workgroup or Report required |
| Doug Rohr & Wesley Kirkman | No | No |

DOSH-related bills that passed the legislature:

| 2023 Session | | |
|-------------------|--|---|
| Bill Number | Bill Title | Short bill description |
| ESHB 1019 | Creating the pesticide advisory board. | This bill creates a formal and permanent advisory board to advise the Washington State Department of Agriculture (WSDA) on any or all problems relating to the use and application of pesticides in the state, with the exception of matters covered by the pesticide application safety committee (PASCO). |
| Executive Sponsor | Rulemaking required | Workgroup or Report required |
| Craig Blackwood | No | Yes |

| Bill Number | Bill Title | Description | |
|--------------------------|---|---|-------------------------------------|
| SHB 1323 | Requiring a training and certification program for individuals who apply fire-resistant materials. | This bill establishes a training & certification program for fire-resistant material applicators by requiring an apprenticeship program, registered with the Washington State apprenticeship and Training Council (WSATC), to provide training under this bill. It also sets a penalty schedule for first, second, and third violations of certification requirements and requires L&I to post violations on its website. | |
| Executive Sponsor | | Rulemaking required | Workgroup or Report required |
| Craig Blackwood | | Yes | No |
| Bill Number | Bill Title | Short bill description | |
| 2SHB 1470 | Concerning private detention facilities. | This bill addresses conditions at private detention facilities by requiring the Department of Corrections to exempt certain records from public inspection and copying. It also establishes new standards regarding clothing, cleanliness, food, and other amenities. L&I is directed to conduct regular, routine inspections of these facilities. | |
| Executive Sponsor | | Rulemaking required | Workgroup or Report required |
| Craig Blackwood | | Yes | No |
| Bill Number | Bill Title | Description | |
| HB 1542 | Requiring automated external defibrillators to be available and accessible when work is being performed on high voltage lines and equipment. | This bill requires automated external defibrillators to be available and accessible when work is being performed on high voltage lines and equipment. | |
| Executive Sponsor | | Rulemaking required | Workgroup or Report required |
| Craig Blackwood | | Yes | No |
| Bill Number | Bill Title | Description | |
| 2SHB 1578 | Improving community preparedness, response, recovery, and resilience to wildland fire health and safety impacts in areas of increasing population density, including in the wildland urban interface. | This bill requires the Department of Natural Resources to expand its community resilience program and coordinate with state and local jurisdictions to address wildfire-related risks. This includes improving community preparedness, response, recovery, and resilience related to wildfire-related risks. The bill also includes occupational health policies. | |
| Executive Sponsor | | Rulemaking required | Workgroup or Report required |
| Craig Blackwood | | No | Yes |

Financial Management-related bills that passed the legislature:

| 2023 Session | | |
|-------------------|---|---|
| Bill Number | Bill Title | Short bill description |
| SB 5084 | Creating a separate fund for the purposes of self-insured pensions and assessments. | This bill creates a new self-insurance reserve fund to hold self-insured pension assets and liabilities. It has two phases. The first phase is to capture the interest earned in a sub-fund. The second phase would create a new account to hold self-insured pension assets, including second injury assessments, separate from premiums paid by state fund employers. |
| Executive Sponsor | Rulemaking required | Workgroup or Report required |
| Randi Warick | Yes | No |

FPLS-related bills that passed the legislature:

| 2023 Session | | |
|-------------------|--|--|
| Bill Number | Bill Title | Short bill description |
| 2SHB 1013 | Establishing regional apprenticeship programs. | This bill requires the Office of the Superintendent of Public Instruction (OSPI) and educational service districts (ESDs) to establish a regional apprenticeship preparation pilot program. The purpose of the program is to identify best practices for establishing regional apprenticeship preparation programs that support postsecondary success and strengthen community engagement in schools. It includes 5 sites – three in the west and two in the east. |
| Executive Sponsor | Rulemaking required | Workgroup or Report required |
| Celeste Monahan | No | Yes |

| Bill Number | Bill Title | Description |
|-------------------|--|---|
| ESHB 1050 | Expanding apprentice utilization requirements. | This bill requires a mandatory 15% apprentice utilization rate for <i>municipalities</i> awarding public works projects estimated to cost over \$1,000,000, provides that any local laws or ordinances more favorable to apprentices on municipal projects shall be in full effect and override the minimum requirements of this bill, and requires L&I to provide training, information, and technical assistance to municipalities. |
| Executive Sponsor | Rulemaking required | Workgroup or Report required |
| Celeste Monahan | No | No |

| Bill Number | Bill Title | Description |
|--------------------------|---|---|
| SHB 1217 | Concerning wage complaints. | This bill authorizes the collection of interest at a rate of 1% per month in all wage complaints. |
| Executive Sponsor | | |
| Celeste Monahan | Rulemaking required No | Workgroup or Report required No |
| Bill Number | Bill Title | Short bill description |
| SHB 1711 | Providing a sales and use tax exemption related to internet and telecommunications infrastructure projects involving a federally recognized Indian tribe. | This bill provides a sales and use tax exemption related to internet and telecommunications infrastructure projects involving a federally recognized Indian tribe on the coast of Washington (Quinault Nation). |
| Executive Sponsor | | |
| Celeste Monahan | Rulemaking required No | Workgroup or Report required No |
| Bill Number | Bill Title | Description |
| ESSB 5111 | Concerning payments for accrued and unused sick leave for certain construction workers. | This bill amends the Minimum Wage Act , specifically the paid sick leave laws to require employers to pay out sick leave balances to covered construction workers if they separate from employment before reaching the 90-day sick leave waiting requirement. |
| Executive Sponsor | | |
| Celeste Monahan | Rulemaking required Yes | Workgroup or Report required No |
| Bill Number | Bill Title | Short bill description |
| SSB 5156 | Expanding the farm internship program. | This bill expands the farm internship program (FIP) from a pilot project to a permanent program statewide and adds requirements for farms in the newly-eligible counties to use interns with a migrant background. The bill includes an immediate effective date. |
| Executive Sponsor | | |
| Celeste Monahan | Rulemaking required Yes | Workgroup or Report required Yes |
| Bill Number | Bill Title | Description |
| ESSB 5173 | Concerning property exempt from execution. | This bill exempts certain property from execution, attachment and garnishment. |
| Executive Sponsor | | |
| Celeste Monahan | Rulemaking required No | Workgroup or Report required No |

| Bill Number | Bill Title | Short bill description | |
|--------------------------|---|---|---|
| SSB 5189 | Establishing behavioral health support specialists. | This bill creates a new health care profession called “behavioral health support specialists”. The Department of Health (DOH) oversees legal structure for certification, education, application, regulation, and discipline for this profession. This bill also allows an individual to become a certified behavioral health support specialist through a registered apprenticeship program combined with an approved bachelor’s degree or post-baccalaureate certificate. | |
| Executive Sponsor | | Rulemaking required | Workgroup or Report required |
| Celeste Monahan | | No | No |
| Bill Number | Bill Title | Short bill description | |
| 2SSB 5268 | Addressing equity and efficiencies in public works procurement including modifying small works roster requirements. | This bill modifies, repeals, and enacts statutes related to small works roster and limited public works requirements in order to create a streamlined and effective method for delivering small public works projects while increasing administrative efficiency, encouraging greater participation by small and diverse contractors, and protecting the rights of workers engaging in public works projects. | |
| Executive Sponsor | | Rulemaking required | Workgroup or Report required |
| Celeste Monahan | | Yes | No |
| Bill Number | Bill Title | Short bill description | |
| E2SSB 5582 | Reducing barriers and expanding educational opportunities to increase the supply of nurses in Washington. | This bill seeks to address a variety of nursing shortages in the state, particularly in rural areas and long-term care facilities. It expands nursing credential opportunities, eliminates bottlenecks in nurse training, and grows K-12 pathways into health care credentials. | |
| Executive Sponsor | | Rulemaking required | Workgroup or Report required |
| Celeste Monahan | | No | Yes ** Joint report with the Workforce Training and Education Coordinating Board and Nursing Care Quality Assurance Commission |

FSPS-related bills that passed the legislature:

| 2023 Session | | | |
|--------------------------|--|---|-------------------------------------|
| Bill Number | Bill Title | Short bill description | |
| HB 1514 | Addressing the purchase and distribution of insignia to manufacture of recreational vehicles and/or park trailers. | This bill allows RV and RPT manufacturers with an agency-approved Quality Control Program to request and purchase insignia while the manufacturer’s submission of plans are in line for review by the Factory Assembled Structures program. | |
| Executive Sponsor | | Rulemaking required | Workgroup or Report required |
| Steve Reinmuth | | No | No |
| Bill Number | Bill Title | Description | |
| 2SHB 1534 | Strengthening protections for consumers in the construction industry. | This bill adds a new condition that allows for suspending contractors who are trying to evade judgments through successorship, increases contactor bond amounts, allows for the use of Individual Tax ID Number in lieu of Social Security Number and creates a residential homeowner recovery fund. | |
| Executive Sponsor | | Rulemaking required | Workgroup or Report required |
| Steve Reinmuth | | No | No |
| Bill Number | Bill Title | Short bill description | |
| SB 5089 | Making changes to factory assembled structures, manufactured or mobile homes, commercial coaches, conversion vending units, medical units, recreational vehicles, and park trailers requirements, including adding board members to the factory assembled structures advisory committee. | This law increases representation on the Factory Assembled Structures Board from nine members to “at least 11” to include additional industries, trade participation, and diversity considerations. It also updates references to rules and agencies that have been replaced or renamed, such as references to the Department of Community Trade and Economic Development; changes the word order referring to “manufactured and mobile homes” to make more consistent with current usage; and explicitly states that installation must conform with all related standards. | |
| Executive Sponsor | | Rulemaking required | Workgroup or Report required |
| Steve Reinmuth | | Yes | No |
| Bill Number | Bill Title | Description | |
| ESSB 5320 | Concerning journey level electrician certifications of competency. | This bill adds a provision for current EL01 trainees with at least 3,000 hours worked before July 1, 2023, to continue working as a trainee until July 1, 2026 to be eligible to sit for the certification exam without joining an apprenticeship program. | |
| Executive Sponsor | | Rulemaking required | Workgroup or Report required |
| Steve Reinmuth | | Yes | No |

Insurance Services-related bills that passed the legislature:

| 2023 Session | | |
|--------------------------|--|---|
| Bill Number | Bill Title | Short bill description |
| 2SHB 1039 | Concerning physical therapists performing intramuscular needling. | This bill allows physical therapists with a special endorsement to perform intramuscular needling. |
| Executive Sponsor | Rulemaking required | Workgroup or Report required |
| Brenda Heilman | No | No |
| Bill Number | Bill Title | Description |
| HB 1066 | Making technical corrections and removing obsolete language from the Revised Code of Washington pursuant to RCW 1.08.025. | This bill makes technical corrections to several statutes, including adding an expiration date of June 30, 2016 to Section 4, chapter 137, Laws of 2015, 6 section 1, chapter 326, Laws of 2013, and section 2, chapter 291, 7 Laws of 2011. |
| Executive Sponsor | Rulemaking required | Workgroup or Report required |
| Brenda Heilman | No | No |
| Bill Number | Bill Title | Short bill description |
| SHB 1068 | Concerning injured workers' rights during compelled medical examinations. | This bill gives workers the right to record independent medical examinations. Workers may not materially alter the recording or post the recording on social media. This bill also adds a section regarding who can attend the exam, adds language which excluding certain observers, and removes reference to the board of industrial appeals because the board follows the Civil Rules for exams. |
| Executive Sponsor | Rulemaking required | Workgroup or Report required |
| Brenda Heilman | Yes | No |
| Bill Number | Bill Title | Description |
| HB 1197 | Defining attending provider and clarifying other provider functions for workers' compensation claims, and adding psychologists as attending providers for mental health only claims. | This bill allows psychologists to act as attending providers in claims solely for mental health conditions. It codifies which provider types may act as the attending provider on a workers' compensation claim. It also makes minor housekeeping changes. |
| Executive Sponsor | Rulemaking required | Workgroup or Report required |
| Brenda Heilman | Yes | No |

| Bill Number | Bill Title | Description | |
|--------------------------|--|--|-------------------------------------|
| 2SHB 1452 | Establishing a state medical reserve corps. | This bill authorizes the Washington State Department of Health (DOH) to create a state emergency medical reserve corps. It gives the Secretary (DOH) authority to deploy the state emergency medical reserve corps by order under certain circumstances, enter into contracts, distribute grants, and conduct rulemaking to implement. The bill also defines that a member who dies or is injured as a result of providing services as a member of the state emergency medical reserve corps is deemed to be a state employee for the purpose of receiving benefits for death or injury under workers' comp law. | |
| Executive Sponsor | | Rulemaking required | Workgroup or Report required |
| Brenda Heilman | | Yes | No |
| Bill Number | Bill Title | Description | |
| SHB 1521 | Concerning the duties of industrial insurance self-insured employers and third-party administrators. | This bill increases the maximum dollar amounts for violations by self insured employers and specifically includes them in the adjustments for inflation every three years beginning July 1, 2023. It creates the existence of a new penalty type, good faith and fair dealing, sets the maximum penalty amount at equal to 52 times the average weekly wage at the time of the order and also states the department shall investigate these violations on its own merits. | |
| Executive Sponsor | | Rulemaking required | Workgroup or Report required |
| Brenda Heilman | | Yes | No |
| Bill Number | Bill Title | Description | |
| 2SSB 5454 | Concerning industrial insurance coverage for posttraumatic stress disorders affecting registered nurses. | The bill extends presumptive coverage for posttraumatic stress disorder (PTSD) to direct care registered nurses. The presumption may be rebutted by preponderance of the evidence. The cost of appeals, including attorney and witness fees, must be paid to the worker if the final decision allows the claim for benefits. | |
| Executive Sponsor | | Rulemaking required | Workgroup or Report required |
| Brenda Heilman | | Yes | No |

IT-related bills that passed the legislature:

| 2023 Session | | | |
|--------------------------|---|--|-------------------------------------|
| Bill Number | Bill Title | Short bill description | |
| SB 5088 | Adding references to contractor registration and licensing laws in workers' compensation, public works, and prevailing wage status. | This bill adds references to the new plumbing contractor law, restoring prior requirements for workers' comp, public works and prevailing wage law. It also makes references to electrical licensing and elevator contractor licensing laws consistent with other contractor requirements. | |
| Executive Sponsor | | Rulemaking required | Workgroup or Report required |
| David Marty | | Yes | No |

| Bill Number | Bill Title | Description |
|-------------------|---|--|
| 2SSB 5518 | Concerning the protection of critical constituent and state operational data against the financial and personal harm caused by ransom and other malicious cyber activities. | This bill requires the Office of the Chief Information Officer (OCIO) to implement enterprise technology standards specific to malware and ransomware protection, backup, and recovery; establish a ransomware education and outreach program; and distribute malware and ransomware response educational materials to each state agency. It also requires each state agency to ensure all mission critical applications, business essential applications, and other resources containing category 3 or category 4 data have immutable backups and report specific data to the OCIO. |
| Executive Sponsor | Rulemaking required | Workgroup or Report required |
| David Marty | No | No |

Office of Human Resources-related bills that passed the legislature:

| 2023 Session | | |
|-------------------|--|---|
| Bill Number | Bill Title | Short bill description |
| SHB 1007 | Concerning interruptive military service credit for members of the state retirement systems. | This bill defines the term 'veteran' for the purpose of credit for military service; and requires veteran DRS benefits recalculated retroactively as a result of the updated definition. |
| Executive Sponsor | Rulemaking required | Workgroup or Report required |
| Heather Normoyle | No | No |
| Bill Number | Bill Title | Description |
| HB 1008 | Concerning participating in insurance plans and contracts by separated plan 2 members of certain retirement systems. | This bill allows individuals who separate from positions covered by the employee health benefit programs operated by the Health Care Authority, and the Public Employees', School Employees', and Teachers' Retirement System Plans 2, but do not retire, to participate in the retiree benefits of PEBB. To be eligible, members must have separated from service on or after January 1, 2024, and either enroll or defer coverage no later than 60 days after employee coverage ends. |
| Executive Sponsor | Rulemaking required | Workgroup or Report required |
| Heather Normoyle | No | No |
| Bill Number | Bill Title | Short bill description |
| SHB 1056 | Repealing some postretirement employment restrictions. | This bill repeals the requirement of early retirement based on age 65 effective January 1, 2024 and changes it to 'current or future retiree'. |
| Executive Sponsor | Rulemaking required | Workgroup or Report required |
| Heather Normoyle | No | No |

| Bill Number | Bill Title | Description |
|--------------------------|--|--|
| 2SHB 1122 | Granting Washington management service employees the right to collectively bargain. | This bill would allow certain Washington Management Service employees to collectively bargain. |
| Executive Sponsor | | |
| Heather Normoyle | Rulemaking required | Workgroup or Report required |
| | No | No |
| Bill Number | Bill Title | Short bill description |
| ESHB 1361 | Updating statutes related to state employment by removing obsolete language, eliminating unnecessary reports, conforming a reporting period to fiscal year, and modernizing employee pay procedures. | This bill removes obsolete provisions, eliminates reports, requires state employees appointed on or after July 1, 2023 to be paid through EFTs, and removes the ability for an employee to revert to a classified position should they be the subject of an active investigation that could result in a finding of gross misconduct or malfeasance during the investigation. |
| Executive Sponsor | | |
| Heather Normoyle | Rulemaking required | Workgroup or Report required |
| | No | No |
| Bill Number | Bill Title | Description |
| ESB 5015 | Reestablishing the productivity board | The bill reestablishes the productivity board, specifies participants, tenure of board members, and clarifies the limitations on award amounts. |
| Executive Sponsor | | |
| Heather Normoyle | Rulemaking required | Workgroup or Report required |
| | No | Yes |
| Bill Number | Bill Title | Short bill description |
| ESSB 5186 | Requiring antidiscrimination clauses in public contracting. | This bill requires any contractor, including subcontractors, with the state for public works or for goods or services to be subject to nondiscrimination requirements and any rules and regulations to implement it. |
| Executive Sponsor | | |
| Heather Normoyle | Rulemaking required | Workgroup or Report required |
| | No | No |
| Bill Number | Bill Title | Description |
| ESSB 5294 | Concerning actuarial funding of state retirement systems. | Updates the actuarial funding of Plan 1 retirement systems. |
| Executive Sponsor | | |
| Heather Normoyle | Rulemaking required | Workgroup or Report required |
| | No | No |

| Bill Number | Bill Title | Short bill description |
|--------------------------|---|---|
| SB 5350 | Providing a benefit increase to certain retiree of the public employees' retirement system plan 1 and the teachers' retirement system plan 1. | This bill allows for beneficiaries receiving a monthly benefit from the public employees' retirement system plan 1 and the teachers' retirement system plan 1 to receive a one-time cost-of-living adjustment due to rising inflation. |
| Executive Sponsor | | |
| Heather Normoyle | Rulemaking required No | Workgroup or Report required No |
| Bill Number | Bill Title | Description |
| SSB 5538 | Concerning postretirement employment in nursing positions for a state agency. | This bill allows retired nurses who are hired into non-administrative nursing positions in a state agency to continue to receive their nursing pension until they have worked for more than 1,040 hours in a calendar year. |
| Executive Sponsor | | |
| Heather Normoyle | Rulemaking required No | Workgroup or Report required No |
| Bill Number | Bill Title | Short bill description |
| SSB 5586 | Concerning employees' paid family or medical leave data. | This bill authorizes current employers, third party admins acting on behalf of employers, and employees to access specified information from ESD relating to paid family medical leave, for the purpose of administering internal employer leave or benefit practices under established policies. |
| Executive Sponsor | | |
| Heather Normoyle | Rulemaking required No | Workgroup or Report required No |

Enterprise-wide Efforts

| 2023 Session | | |
|--------------------------|-----------------------------------|---|
| Bill Number | Bill Title | Short bill description |
| 2SHB 1762 | Protecting warehouse employees. | This bill provides new protections to "warehouse distribution center" employees who are subject to quotas. It gives L&I the authority to investigate and enforce requirements. The Employment Standards Program enforces wage and hour requirements and DOSH enforces safety and health requirements as modified in the bill. |
| Executive Sponsor | | |
| EPMO | Rulemaking required Yes | Workgroup or Report required No |

| Bill Number | Bill Title | Description |
|--------------------------|---|---|
| ESSB 5217 | Concerning the state's ability to regulate certain industries and risk classes to prevent musculoskeletal injuries and disorders. | This bill removes the prohibition on ergonomics rulemaking. Rulemaking is limited to industries or risk classes with a musculoskeletal disorder rate that is two times the overall average over the past five years and limited to one new rule within a 12 month period. The department is required to provide reports to the legislature on criteria for selecting an industry or risk class for rulemaking, as well as a list of eligible industries and risk classes. |
| Executive Sponsor | | Rulemaking required |
| EPMO | | Yes |
| | | Workgroup or Report required |
| | | Yes |
| Bill Number | Bill Title | Short bill description |
| E2SSB 5236 | Concerning hospital staffing standards. | This bill expands staffing committees to include additional nursing staff, modifies staffing committee requirements, and clarifies standards and enforcement regarding mandatory overtime and uninterrupted meal and rest breaks and staffing standards. |
| Executive Sponsor | | Rulemaking required |
| EPMO | | No |
| | | Workgroup or Report required |
| | | Yes |

L&I reports/studies due to the Legislature/Governor

*List of reports and their status can be found here: <http://share/teams/DO-GAPD/Leg/Lists/LegRpts/AllItems.aspx>

| Next Report Due | Frequency | Report Description | Statute | Submitted to | Division | Assigned Staff |
|---|--|--|--|---|--|---------------------------------|
| 8/30/23 | Annually | SHARP Immediate Hospitalization | Budget proviso ESSB 5187 (220 (3)) (2023) | Governor and appropriate legislative committees | SHARP | SHARP (Bonauto, Whitaker) |
| 9/30/23 | One time | Report detailing the list of options for incentivizing apprentice utilization and recommendations addressing apprenticeship issues in rural communities and with small employers. | E2SSB 5600 (sec 10) (2022) | Appropriate legislative committees | Fraud Prevention & Labor Standards | Peter Guzman |
| 10/1/23 | Each fiscal biennium | Chronic Opioids | Budget Proviso ESSB 5187 (220 (10)) (2023) | Governor and appropriate legislative committees | Insurance Services | Kim Wallace |
| 10/1/23 | Annually until all special certificates have expired | Sub-minimum wage certificates | ESSB 5284 (2021) | Appropriate legislative committees | Fraud (Employment Standards) | Karissa Bringhurst |
| 11/1/23 | Annually | Report the number of requests to pay for physical abuse exams for child victims of assault | SSB 5814 (2022) | Governor and appropriate legislative committees | Administrative Services (Crime Victims Compensation Program) | Cletus Nnanabu and Maty Brimmer |
| 11/1/23 | Annually | List of industries and risk classes eligible for rule-making; identify low priorities, review data, identify industries or risk classes most likely to be selected for rule-making | ESSB 5217 (2023) | Appropriate legislative committees | SHARP | Dave Bonauto |
| ** Report within 90 days of department | Annually | Why industry or risk classifications was selected for regulation | ESSB 5217 (2023) | Appropriate legislative committees | SHARP | Dave Bonauto |

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| filling a CR-101 | | | | | | |
| 12/1/23 | Annually until tools are fully developed and deployed | SHARP Janitorial Study | Budget proviso ESSB 5187 (220 (2)) (2023) | Governor and legislature | Financial Management | SHARP (Anderson, Bao, Bonauto, Smith) |
| 12/1/23 | One-time | Report aerospace apprentice utilization rates | RCW 49.04.210 | Legislature | Fraud Prevention & Labor Standards | Karissa Bringhurst |
| 12/1/23 | Annually | Wage, Leave and Youth Employment (Workplace Rights) | RCW 49.12.180 | Governor | Fraud Prevention & Labor Standards | Karissa Bringhurst |
| 12/1/23 | Annually | Underground economy benchmark report in coordination with ESD and DOR | RCW 18.27.800 | House Labor, Senate Commerce & Labor | Fraud Prevention & Labor Standards | Karissa Bringhurst |
| 12/1/23 | Annually *No report needed for 2023 because no grants this year | Grants for pre-apprenticeship | RCW 49.04.190(3) *If no grant money, no report required | Senate Commerce & Labor; House Labor, & Senate Early Learning & K-12 & House Ed | Fraud Prevention & Labor Standards | Karissa Bringhurst |
| 12/1/23 | Annually | Whether the state should establish an institution, or centralized program, for apprentices to receive credit towards a degree for RSI. | E2SSB 5764 (2022) | The appropriate higher education committees of the legislature | Fraud Prevention & Labor Standards (Apprenticeship Council) | Peter Guzman |
| 12/1/23 | One time | The number of claims filed in the previous five years that included the presumption of occupational disease for certain employees at the United States department of energy Hanford site. | RCW 51.32.1871 | Legislature | Insurance Services | Mike Ratko |

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| 12/15/23 | Annually | A list of apprenticeship programs that have applied for state approval, whether those programs have been approved or not approved, and the reasons for any denials of approval. | E2SSB 5600 (sec 4) (2022) | Appropriate legislative committees | Fraud Prevention & Labor Standards (Apprenticeship council) | Peter Guzman |
| 1/1/24 | Annually, no date specified, but in January prior to session | Annual Worker's Compensation Fraud Report | RCW 43.22.331 | Senate Commerce & Labor, Senate Ways & Means, House Labor &, House Appropriations | Fraud Prevention & Labor Standards | Karissa Bringhurst |
| 10/1/24 | Annually | Apprentice utilization rate across the aerospace industry and any recommendations for implementing SB 6690 (2020) | SB 6690 (2020) Sec 4(4). | Department of Revenue and appropriate legislative committees | Fraud Prevention & Labor Standards | Karissa Bringhurst |
| 12/1/24 | Annually through 2034, beginning 2024 | Report on the Homeowner Recovery Program: number of claims, amounts, payments, waitlist. | 2SHB 1534 (2023) | Appropriate legislative committees | Field Services & Public Safety | Melissa McBride |
| 12/1/24 | One time | Report the number of claims that were impacted by SSB 5701 (2022), Inmate timeloss, from July 1, 2022, to June 30, 2024. | SSB 5701 (2022) | Appropriate legislative committees | Insurance Services | Mike Ratko |
| 12/31/24 | One time | Farm internship program | RCW 49.12.471 (12) | Appropriate legislative committees | Fraud Prevention & Labor Standards | Karissa Bringhurst |
| 12/1/25 | One time | Public works project outcomes related to apprentice utilization requirements, access to apprentices and participation by small, women, minority and veteran-owned businesses | ESHB 1050 (2023) | Office of Financial Management, and specific legislative committees | Fraud Prevention & Labor Standards | Karissa Bringhurst |

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| 12/1/26 | One time | Apprentice retention study by collecting data from apprentices that are six months into their apprenticeships on the barriers and challenges new apprentices encounter that may prevent them from continuing their apprenticeships. | E2SSB 5600 (sec 9) (2022) | Appropriate legislative committees | Fraud Prevention & Labor Standards (WSATC) | Peter Guzman |
| 06/30/2027 | One time | Establishing regional apprenticeship programs. | 2SHB 1013 (2023) | Governor, State Board of Education, WSAC, WTECB, appropriate legislative committees | Fraud Prevention and Labor Standards to monitor | OSPI |
| By 12/1/2035 | Annually thereafter | Report on whether there is a significant waitlist of eligible applicants or insufficient funds in the homeowner recovery account to sustain the homeowner recovery program. | 2SHB 1534 (2023) | Appropriate legislative committees | Field Services & Public Safety | Melissa McBride |

Reports/data for review

| Next Report Due | Frequency | Report Description | Statute | Submitted to | Division | Assigned Staff |
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| Quarterly | Quarterly – Ongoing | Results WA | RCW 43.17.385(5) | Governor | Financial Management | Office of Strategy & Performance – submitted through online system (Jessica Nau) |
| Quarterly | Quarterly | WCSM | Budget proviso SB 5187 (220 (1)) (2023) | Appropriate legislative committees | WCSM Project | Sherrie Young |

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| Date established by GOIA, usually summer | Annually, no date specified | Annual report on activities involving Indian tribes for the Centennial Accord | RCW 43.376.020 | Governor | Financial Management | Uriel Iniguez |
| 7/1/23 | Annually | Specific metrics identified in bill to be reported re: public record requests. | RCW 40.14.026 | Joint Legislative Audit & Review committee | Financial Management | Jessica Ward |
| 11/1/23 | Annually | Provide a list of each business license issued by the agency, description of the persons and specific activities for which the license is required, the time period for which the license is issued and any issuance, renewal, or reissuance requirements, and other information DOR determines necessary. | RCW 19.02.035 | Department of Revenue | Financial Management | Small Business Office (Celia Nightingale) |
| 11/2/23 | Due Nov 2, 2019 to ORIA for January 31 of each even-numbered year | Significant Legislative Rules Report | RCW 34.05.328(6) | Due to ORIA for legislative submittal | Government Affairs & Policy | Executive Policy |
| 12/31/23 | In calendar years 2015, 2019 & 2023 (goes through independent researcher) | Independent study of Claim Resolution Structured Settlement Agreements Approved by the Board | RCW 51.04.069 | Appropriate legislative committees | Insurance Services | Debra Hatzialexiou |
| 1/31/24 | Annually | Requiring disability employment reporting by state agencies. Requires state agencies with 100+ employees to file an annual report to OFM regarding information on the number of persons with disabilities employed. | RCW 43.41.275 | HR director, with cc to the director of the DSHS's division of vocational rehabilitation and the Governor's disability | Office of Human Resources | Heather Normoyle |

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Pursuant to [RCW 43.01.036](#) all reports shall be submitted electronically to the chief clerk of the House of Representatives and the secretary of the Senate.