

Domestic Workers Workgroup

July 27, 2021



Agenda

- Welcome – Caitlyn Jekel and Maggie Leland
- Introductions – All
 - Share your experience with these issues; what brought you here
- Scope of work and legislative direction – Maggie Leland
- Workgroup process – Maggie Leland
- Break
- Introduction to workers' compensation – Bryan Jewell & Keith Bingham
- Questions and next steps

Legislative direction

2021-23 biennial budget created the workgroup.

- Investigate how to make it easier for employers to provide workers' comp coverage for domestic workers.
- Recommend legislative, regulatory or other changes.
- Explore possible role of nonprofit organizations that assist and refer domestic workers and day laborers.

Legislative direction

- 10-member workgroup, appointed by governor

Worker Representatives	Employer Representatives
Directly affected domestic workers (2) <ul style="list-style-type: none">Sylvia GonzalezKasey Bowen	Employers of domestic workers (2) <ul style="list-style-type: none">Puja Dhawan, Care for All with Respect & EquityTBD
Directly affected day laborers (2) <ul style="list-style-type: none">Fred DuBonTBD	Employer of domestic day laborers (1) <ul style="list-style-type: none">TBD
Unions/worker centers (2) <ul style="list-style-type: none">Marcos Martinez, Casa LatinaTina Sigurdson, SEIU 775	Nonprofit that works with employers (1) <ul style="list-style-type: none">Dana Barnett, Hand in Hand

- Report & recommendations by November 4, 2022

Terminology

- For today's discussion: *Domestic workers* includes *day laborers*.
- In future:
 - Will be more specific with those terms in future meetings.
 - Work group may have different recommendations for each type.

Workgroup process – for consideration

- L&I facilitates and staffs the work group
 - L&I technical experts will attend.
 - Agendas, meeting materials and Zoom links will be posted on the L&I legislative website (see slide 14).
 - Workgroup members can suggest agenda topics.
- Workgroup members are decision-makers
 - Strive for consensus.
 - When consensus isn't possible, majority decides.
 - Minority report is an option to ensure all voices are heard.

Workgroup process – for consideration

- Members who cannot attend may designate an alternate or proxy.
- Will use ‘parking lot’ for ideas not immediately relevant.
 - Ideas will be revisited in future meetings.
- Public always welcome.
- Other items?

Break

About workers' compensation insurance

- Established in 1911; administered by L&I.
- Provides partial wage replacement and medical benefits to workers due to workplace injuries or occupational illnesses.
- Employers pay premiums to cover their employees; workers may be required to pay about one-quarter of the premiums.
- Covers over 184,000 employers and nearly 3.6 million workers (FY 2020).

Some domestic workers covered

- In general, all workers covered unless exempted by law. Deciding factor is who hires the worker/s.
- Several models

Scenario	Coverage requirements/options
If homeowner hires a business to provide domestic or household workers...	Business (not homeowner) must provide workers' comp coverage for the workers.
If a domestic worker operates as a business owner...	Worker <i>may elect</i> to purchase coverage for self, but <i>must</i> cover any employees.
If a homeowner directly hires domestic help (fewer than 2 full-time)...	Homeowner is not required to provide workers' comp coverage, but may elect to do so. The worker cannot choose to cover him/herself.

Specific exemption for domestic workers

RCW 51.12.020 exempts from workers' comp coverage:

- Any person employed as a domestic servant in a private home by an employer who has less than two employees regularly employed 40 or more hours a week in such employment.
- Any person employed to do gardening, maintenance or repair in or about the private home of the employer.
 - *Maintenance* means the work of keeping in proper condition
 - *Repair* means to restore to sound condition after damage
 - *Private home* means a person's place of residence.

Questions?

Future agenda items?

Next steps

Proposed schedule & meeting details

2021	
July 27	10 AM – Noon
September 28	10 AM – Noon
November 30	10 AM – Noon
2022	
January 25	10 AM – Noon
March 29	10 AM – Noon
May 24	10 AM – Noon
July 26	10 AM – Noon
September 27	10 AM – Noon

- For now, workgroup sessions held via Zoom.
- Log-on information will be posted on the L&I legislative website.

Additional resources

L&I legislative website

- <https://lni.wa.gov/agency/legislature>
- Domestic Workers Workgroup - new section
 - DWW schedule (2021/2022) (pending)
 - Meeting materials
 - Agendas with log-on information

L&I point of contact

- Email questions/comments to Cheryl Mills at cheryl.mills@lni.wa.gov

thank you!