



Small Business Priority Votes | Senate

February 23, 2021

[NFIB](#) is America's leading small-business advocacy organization, representing more than 7,000 independent, small-business owners in Washington state. The following bills are of interest to our members. They are eligible for inclusion in our 2021-22 Voting Record.

- 5097 **Oppose** **Expanding Paid Family & Medical Leave** (PFML). While NFIB does not object to the change in family definition, we do oppose repealing the small business protections that were carefully negotiated into the PFML law in 2017. Small businesses exempt from federal job protection and health insurance maintenance requirements ought to remain exempt from those mandates in the state law as well. Conflicting state and federal obligations lead to confusion, errors, and compliance problems for employers and workers alike. It is unreasonable to expect a small employer would be able to hold a job for a worker taking 12 to 18 weeks leave in a year, or to pay health insurance premiums for both the absent worker and a replacement worker who becomes eligible for an employer-sponsored insurance plan. Too few small employers are able to afford group health insurance plans as it is. The added burden of providing double coverage for workers on leave and their temporary replacements could well mean the end of employer-provided coverage for all workers at that firm.
- 5126 **Oppose** Establishing a **cap-and-trade** regime. These programs inevitably increase fuel, electricity, transportation, production, and other costs that are disproportionately borne by working families and small businesses.
- 5130 **Oppose** **Disclosing personnel files and reasons for termination** would effectively undo our state's employment-at-will doctrine, exposing employers to litigation. NFIB does not object to reasonable worker access to their personnel file, but employers should not be forced to provide "a signed, written statement of the reasons for ... discharge" in an at-will state.
- 5137 **Support** **One-year workers' compensation COLA suspension.** These cost-of-living adjustments are increasing far in excess of the consumer price index or other inflationary measurements. Action is needed to address this situation to prevent significant rate hikes or benefit cuts. Small employers are already struggling to survive this pandemic. The threat of more cost increases before economic recovery becomes a reality will make it all the more difficult for small employers to resume operations, return workers to employment, or add to their workforce.

- 5149 **Oppose** **Health insurance per member per month tax** to fund public health equipment and operations. The high cost of individual and small-group health insurance policies forces many Washington residents to be un- or under-insured today. Adding to this already unaffordable situation is the wrong approach to boosting public health funding.
- 5172 **Oppose** **Agricultural worker overtime retroactivity.** NFIB opposes the bill as amended in the Senate Labor, Commerce & Tribal Affairs Committee. As originally drafted, the bill would have protected farmers who followed state law when paying workers exempt from overtime. The amended bill would now require farmers to locate former employees and make retroactive overtime payments to both current and former employees for hours worked and paid in accordance with state law. This is both unreasonable and unjust.
- 5355 **Oppose** **Wage liens.** The bill sets forth a cumbersome process through which a worker claiming wages are owed could file a lien against an employer's business and/or individual assets, including the estate of a deceased employer. Community property would be subject to these liens. This could be in addition to the wage payment act investigation and collections process administered by L&I. NFIB would have fewer objections if the bill only applied to business, not personal, assets. Spouses, children, or other family members not involved in business operations ought not to have their home, vehicles, or other assets subject to liens related to workplace issues.
- 5399 **Oppose** **Universal health care commission.** After serving on the universal health care work group, NFIB remains convinced that Washington state alone cannot adequately finance or operate a truly universal health insurance or health services program. During the work group process, a number of concerns were raised – ranging from a \$60 billion price tag to federal waivers, to our state becoming a magnet for sick individuals (including those not actually residing in Washington whose care would still be provided at Washington taxpayer expense), etc. – none of which were adequately reviewed or addressed by the work group, its convening agencies, or their consultants.
- 8200 **Support** Allowing **Long-Term Care Trust** funds to be invested by the State Investment Board.

For more information, please contact NFIB Washington State Director [Patrick Connor](#) by email, or by cell or text at (360) 789-3355.