

RCW 46.72B.200 Employment security pilot program. (Expires December 31, 2028.) (1) Beginning July 1, 2024, the employment security department shall develop and administer a pilot program under Title 50A RCW focusing on transportation network companies and drivers.

(2) The pilot program must require that:

(a) Drivers may continue to have the option of electing coverage under Title 50A RCW as self-employed individuals;

(b) By the 15th day of the month following the end of the calendar quarter, transportation network companies report to each driver in Washington the total amount of compensation, as defined in RCW 49.46.300, that the driver earned providing network services through the transportation network company's digital network in that quarter;

(c) By the 15th day of the month following the drivers' reporting deadline for the calendar quarter, the employment security department share data with each transportation network company on the drivers who, in that calendar quarter: (i) Reported and paid assessed premiums; and (ii) withdrew or canceled paid family and medical leave coverage; and

(d) By the 15th day following the receipt of information from the employment security department under (c) of this subsection, transportation network companies pay each driver who elected coverage under (a) of this subsection an amount equal to the premium rate assessed, multiplied by the amount of compensation, as defined in RCW 49.46.300, that the driver earned providing network services through the transportation network company's digital network in that quarter. For purposes of this section, compensation shall not include any amount listed in RCW 50A.05.010(22)(d). The requirement to pay premiums under the pilot program ends December 31, 2028.

(3) For the purposes of the pilot program, this section does not require a driver to opt into family and medical leave coverage for any other self-employment or independent contract work not associated with a transportation network company.

(4) Drivers in the pilot program are not subject to the requirements in RCW 50A.10.010(1).

(5) Drivers electing coverage must elect both family and medical leave and are responsible for 100 percent of all premiums assessed to an employee under RCW 50A.10.030.

(6) The driver must file a notice of election in writing with the employment security department, in a manner as required by the department in rule.

(7) The driver is eligible for family and medical leave after working 820 hours in the state during the qualifying period following the date of filing the notice.

(8) (a) The employment security department must evaluate the pilot program for its impacts on removing barriers to accessing paid family and medical leave, as well as impacts on the paid family and medical leave insurance account.

(b) By September 1, 2027, the employment security department must submit a report to the appropriate committees of the legislature summarizing the employment security department's evaluation of the pilot program and making any recommendations, if appropriate.

(9) The employment security department may adopt rules necessary to implement the pilot program in this section.

(10) This section expires December 31, 2028. [2023 c 451 § 3.]