
Government Operations & Elections Committee

SSB 5160

Brief Description: Creating a process for home assignment of public employees.

Sponsors: Senate Committee on Commerce & Labor (originally sponsored by Senators Holmquist Newbry, Becker, Braun, Carrell, Sheldon, Schoesler, Honeyford and Roach).

<p style="text-align: center;">Brief Summary of Substitute Bill</p> <ul style="list-style-type: none">• Establishes processes that an agency must use when administratively reassigning an employee to home during scheduled work hours.

Hearing Date: 4/2/13

Staff: Jasmine Vasavada (786-7301).

Background:

In response to a directive issued by Governor Gregoire in 2011, state agencies instituted written protocols for placing someone on administrative home assignment pending the outcome of an investigation. The protocols incorporated the following principles outlined by the Governor:

- Only an appointing authority may place an employee on home assignment. The appointing authority may place the employee on home assignment for up to 15 calendar days.
- When an appointing authority places an employee on home assignment, they must notify the agency head, in writing, of the action and the reasons for the action. The appointing authority must also notify the agency human resources director and the state human resources director.
- The agency head or designee may approve home assignment beyond 15 calendar days in 30 day increments. Before approving each extension, the agency head or designee must receive an update of what transpired over the last 30 days and why additional time is necessary. If the extension is necessary due to an ongoing investigation, the agency head

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or designee must communicate with the investigator and document progress of the investigation and estimated time of completion. The agency head or designee must notify the human resources director of any approvals or extensions. A copy must be submitted to the state human resources director.

- Once the need for home assignment ends, agencies should document whether the employee returned to work and the date of any action.

Summary of Bill:

Each agency must develop a home assignment policy that meets the minimum requirements set in this act. The agency must review the policies and procedures annually to ensure compliance. "Agency" means "an office, department, board, commission, or other separate unit or division of the state government, and all personnel thereof; it includes any unit of state government established by law, the executive officer or members of which are either elected or appointed, upon which the statutes confer powers and impose duties in connection with operations of either a governmental or proprietary nature."

Employees may be placed on home assignment if the employee's appointing authority determines that it is necessary. "Appointing authority" means the individual lawfully authorized to appoint, transfer, layoff, reduce, dismiss, suspend, or demote employees.

A home assignment may last up to 15 days. If the governing officer determines additional time is needed, the home assignment may be extended in additional 30 day increments.

The governing officer must:

- before extending the home assignment, receive an update of activities since the initial home assignment or previous extension and the reason additional time is necessary;
- notify the agency human resources director of any extensions; and
- document whether the employee returned to work when the home assignment ended, and the date that it ended.

"Governing officer" means the person, or combination of persons such as a commission, board, or council, by law empowered to operate the agency. If the governing officer is responsible to the Governor, the agency must report all home assignments, extensions, and requested information to the State Human Resources Director. Beginning in March 2014 and each March 1 thereafter, the State Human Resources Director must submit an annual report to the Legislature regarding the use of home assignments during the preceding year.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.