

# HOUSE BILL REPORT

## SHB 1529

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**As Passed House:**

March 5, 1999

**Title:** An act relating to school district employees' personal holidays.

**Brief Description:** Clarifying school district employees' personal holidays.

**Sponsors:** By House Committee on Education (Originally sponsored by Representatives Talcott, Quall and Bush).

**Brief History:**

**Committee Activity:**

Education: 2/15/99, 2/22/99 [DPS].

**Floor Activity:**

Passed House: 3/5/99, 97-0.

**Brief Summary of Substitute Bill**

- School employees may transfer to other employees the number of personal holidays that state employees are entitled to receive and transfer.

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### HOUSE COMMITTEE ON EDUCATION

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 14 members: Representatives Quall, Democratic Co-Chair; Talcott, Republican Co-Chair; Haigh, Democratic Vice Chair; Schindler, Republican Vice Chair; Carlson; Cox; Keiser; Rockefeller; Santos; D. Schmidt; Schual-Berke; Stensen; Sump and Wensman.

**Staff:** Susan Morrissey (786-7111).

**Background:**

A state law describes the state's legal holidays. The law includes a provision for one paid personal holiday for employees of the state and its political subdivisions. School district employees and nonclassified employees of state colleges and universities are

specifically excluded from the entitlement to a paid personal holiday. However, school district employees may obtain personal holidays through collective bargaining.

By law, state employees may share accumulated leave under certain conditions. The definition of state employees include employees of school districts and educational service districts. The law permits these employees to share annual leave, sick leave, and personal holidays with other employees who meet certain conditions. Before employees are eligible to receive shared leave, they must have exhausted their own accumulated leave days. In addition, the receiving employees must be either suffering from or taking care of a household member who is suffering from an extraordinary illness, injury, impairment or mental or physical condition. The provision allowing employees to share personal holidays was adopted by the Legislature in 1996.

School districts may establish and administer leave sharing programs for school employees. The Superintendent of Public Instruction is responsible for the adoption of standards for this authority. The standards are intended to ensure that school district policies are consistent with state leave sharing laws and that the policies do not significantly increase the cost of providing leave for school employees. The superintendent has adopted rules that describe the conditions under which annual and sick leave may be shared. The rules, which have not been updated since 1995, do not include a provision for sharing personal holidays.

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**Summary of Bill:**

In any year, school district employees may transfer to other eligible employees the number of personal holidays that state employees are entitled to receive and transfer.

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**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** (Original Bill) State employees may transfer their paid personal holidays to other employees who are seriously ill and out of all paid leave days. This leave sharing provision helps employees to take care of one another when an employee is facing a catastrophic illness. School employees may use their annual and sick leave to help each other under those circumstances. But, unlike state employees, school employees cannot give their personal holidays to other employees. This legislation will allow school employees to have the same rights to help each other that state employees enjoy. It's passage is a matter of fairness and compassion.

**Testimony Against:** (Original Bill) School employees sometimes bargain more than one personal holiday each year. Some districts allow those holidays to be rolled over every year that they are not used. State employees are limited to one paid personal holiday each year, and that holiday must be used or it is lost to the employee. Unless the leave sharing provisions for school employees are the same as those for state employees, districts may incur additional costs that are not now funded.

**Testified:** (Support) Rep. Talcott, prime sponsor; Doug Nelson, Public School Employees; and Gary King, Washington Education Association.

(Opposed) Dan Steele, Washington State School Directors' Association.