

# HOUSE BILL REPORT

## HB 3067

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### As Reported By House Committee On: Appropriations

**Title:** An act relating to service credit for a member of the Washington state patrol retirement system during paid leave of absence.

**Brief Description:** Providing service credit for certain members of the Washington state patrol retirement system.

**Sponsors:** Representatives Fisher, Mitchell, H. Sommers, Delvin, Hurst, Conway, Ogden, Lovick, Edwards, Rockefeller and McIntire; by request of Washington State Patrol.

**Brief History:**

**Committee Activity:**

Appropriations: 2/3/00, 2/5/00 [DP].

Brief Summary of Bill
<ul style="list-style-type: none"><li>Allows a member of the Washington State Patrol Retirement System to receive retirement system service credit while on a paid leave of absence to serve as an elected official of a labor union.</li></ul>



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### HOUSE COMMITTEE ON APPROPRIATIONS

**Majority Report:** Do pass. Signed by 26 members: Representatives H. Sommers, Democratic Co-Chair; Barlean, Republican Vice Chair; Doumit, Democratic Vice Chair; Alexander; Benson; Clements; Crouse; Gombosky; Grant; Kagi; Keiser; Kenney; Kessler; Lambert; Linville; Lisk; McIntire; McMorris; Parlette; Regala; Rockefeller; Ruderman; Sullivan; Sump; Tokuda and Wensman.

**Minority Report:** Without recommendation. Signed by 1 member: Representative Mulliken.

**Staff:** Denise Graham (786-7137).

**Background:**

Public employee collective bargaining agreements typically contain provisions authorizing certain employees to take a leave of absence to engage in bargaining and other labor relations activities. In some cases, while on leave, an employee may continue to receive a salary from his or her public employer where the employer is reimbursed by the employee union.

Members of most of the state-run retirement systems who take an authorized leave of absence to serve as an elected official of a labor organization may continue to earn retirement system service credit if the following conditions are met: the employee must continue to receive compensation from the employer; the employer must be reimbursed by the labor organization for compensation paid to the member while on leave of absence; the leave of absence must be authorized by a collective bargaining agreement that provides that the member retains seniority rights with the employer during the period of leave; and the salary paid must not exceed the salary paid to the highest paid job class that is covered under the collective bargaining agreement. These provisions are included in the Teachers' Retirement System Plan 1 and Plan 2, the Public Employees' Retirement System Plan 1 and Plan 2, the School Employees' Retirement System Plan 2 and Plan 3, and the Law Enforcement Officers' and Fire Fighters' Retirement System Plan 1 and Plan 2.

The Washington State Patrol Retirement System (WSPRS) currently has no statutory provision for earning service credit during any paid leave of absence. However, the Washington State Patrol has continued to report service credit on behalf of their employees who have taken leave to serve in an elected office for their union.

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**Summary of Bill:**

A WSPRS member who takes leave to serve as an elected official of a labor organization is considered to be on a paid leave of absence and is eligible to receive retirement service credit, as long as the following conditions are met: (1) the member receives compensation from the employer during the leave of absence; (2) the employer is reimbursed by the labor organization for compensation paid to the member while on leave of absence; (3) the leave of absence is authorized by a collective bargaining agreement that provides that the member retains seniority rights with the employer during the period of leave; and (4) the salary paid does not exceed the salary paid to the highest paid job class that is covered under the collective bargaining agreement.

These provisions apply retroactively for any members who had compensation and hours reported under the above circumstances. The provisions also apply retroactively to November 23, 1987, for any members for whom compensation

and hours would have been reported except for explicit instructions from the Department of Retirement Systems.

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**Appropriation:** None.

**Fiscal Note:** Available.

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

**Testimony For:** This bill will give the Washington State Patrol Retirement System parity with the other state retirement systems.

**Testimony Against:** None.

**Testified:** Chief Annette Sandberg, Washington State Patrol.