

# HOUSE BILL REPORT

## HB 1507

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**As Reported by House Committee On:**  
State Government & Tribal Affairs

**Title:** An act relating to shared leave for state employees in the uniformed services.

**Brief Description:** Creating the uniformed service shared leave pool.

**Sponsors:** Representatives Seaquist, Bailey, Schual-Berke, Green, Kenney, Williams, Conway, Ericks, Lantz, Darneille, Linville, Moeller, Kelley, Morrell and Rolfes; by request of Governor Gregoire.

**Brief History:**

**Committee Activity:**

State Government & Tribal Affairs: 1/23/07, 1/24/07 [DPS].

<p><b>Brief Summary of Substitute Bill</b></p> <ul style="list-style-type: none"><li>• Establishes the uniformed service shared leave pool.</li></ul>
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### HOUSE COMMITTEE ON STATE GOVERNMENT & TRIBAL AFFAIRS

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 9 members: Representatives Hunt, Chair; Appleton, Vice Chair; Chandler, Ranking Minority Member; Armstrong, Assistant Ranking Minority Member; Green, Kretz, McDermott, Miloscia and Ormsby.

**Staff:** Marsha Reilly (786-7135).

**Background:**

In 1989, the Legislature enacted the Washington State Leave Sharing Program (Program) for state employees. The stated purpose of the Program is to permit state employees to donate annual leave, sick leave, or personal holidays to fellow state employees who are suffering from, or have relatives or household members who are suffering from, an extraordinary or severe illness, injury, impairment, or physical or mental condition and has caused or is likely to cause the employee to take leave without pay or terminate his or her employment. If an employee qualifies to participate in the Program, the agency head determines the amount of

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leave, not to exceed 261 days, which the employee may receive. As long as a certain balance is maintained, an employee may transfer annual leave and sick leave, and may transfer all of his or her personal holiday.

In 2003, the Program was extended to those called to uniformed service. To qualify for the Program, an employee called to uniformed service must have depleted or will shortly deplete his or her annual leave and paid military leave.

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**Summary of Substitute Bill:**

The Uniformed Service Shared Leave Pool (Pool) is created. Shared leave paid under this Pool, in combination with military salary, may not exceed the level of the employee's state monthly salary. Military salary includes base, specialty, and other pay, but does not include other allowances, such as a housing allowance. Monthly salary includes special pay and shift differential, but does not include overtime pay, call back pay, standby pay, or performance bonuses. Employees requesting leave from the Pool must provide earnings information to the Department of Personnel.

An employee receiving leave from the Pool is not required to repay the leave unless there has been a finding of wrongdoing.

The prohibition for receipt of more than 261 days of leave for employees called to uniformed service is removed.

School district and educational service district employees may not donate to and receive leave from the Pool.

The Department of Personnel, in consultation with the Military Department and the Office of Financial Management, shall adopt rules and policies governing the Pool.

The Uniformed Service Shared Leave Pool Account (account) is created in the custody of the State Treasurer. Expenditures from the account may only be used for providing shared leave to employees under the Pool. Only the Adjutant General or his or her designee may authorize expenditures from the account, and the account is not subject to allotment and no appropriation is required for expenditures.

**Substitute Bill Compared to Original Bill:**

The substitute bill requires that employees eligible to receive leave under the Washington State Leave Sharing Program are required to provide earnings information to the Department of Personnel. It also stipulates that shared leave may not be granted from the Uniformed Service Shared Leave Pool in the event there are insufficient funds. The effective date is changed from July 1, 2007, to October 1, 2007.

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**Appropriation:** None.

**Fiscal Note:** Requested on January 22, 2007.

**Effective Date of Substitute Bill:** The bill takes effect on October 1, 2007.

**Staff Summary of Public Testimony:**

(In support) This program would be a first in our nation. A state employee called to military duty normally earns considerably less from military pay. These people are incurring a significant economic hardship. The pool would be used to make up the difference between their state pay and military pay. We already have military leave, but this program would act as a one-to-one transfer from employee to employee. The program works much the same as the shared leave program in statute except that this bill creates a pool where employees can donate leave and specifically target it for persons activated to federal service. There is a fiscal impact of about \$150,000. Many municipalities have programs that cover the difference in compensation an employee receives when he or she is called to service. This program is different in that it allows other employees to fund the program through donations of sick and annual leave.

(Opposed) None.

**Persons Testifying:** Representative Seaquist, prime sponsor; Antonio Ginatta, Governor's Office; and General Lowenberg, Washington State Military Department.

**Persons Signed In To Testify But Not Testifying:** None.