

HOUSE BILL REPORT

SSB 6500

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

Title: An act relating to leave sharing for victims of domestic violence, sexual assault, and stalking.

Brief Description: Authorizing leave sharing for victims of domestic violence, sexual assault, and stalking.

Sponsors: Senate Committee on Labor, Commerce, Research & Development (originally sponsored by Senators Eide, Kohl-Welles, Stevens, Shin, Rasmussen, Kline, Spanel, Holmquist and Haugen; by request of Attorney General).

Brief History:

Committee Activity:

State Government & Tribal Affairs: 2/20/08, 2/22/08 [DP].

Brief Summary of Substitute Bill

- The leave sharing program is extended to employees who are the victims of domestic violence, sexual assault, or stalking.

HOUSE COMMITTEE ON STATE GOVERNMENT & TRIBAL AFFAIRS

Majority Report: Do pass. Signed by 8 members: Representatives Hunt, Chair; Appleton, Vice Chair; Chandler, Ranking Minority Member; Armstrong, Assistant Ranking Minority Member; Kretz, Liias, 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 that has caused or is likely

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to cause the employee to take leave without pay or terminate his or her employment. An employee may also receive shared leave if the employee has been called to service in the uniformed services, or a state emergency has been declared anywhere within the United States by the federal or any state government that has caused or is likely to cause the employee to take leave without pay or terminate his or her employment.

Employees may transfer annual or sick leave or a personal holiday to an employee in the Program as long as the donating employee maintains a minimum balance of 10 days of annual leave and 176 hours of sick leave after the transfer. The agency head must determine that the leave is justified and the amount of leave an employee may receive; however, the amount of leave an employee may receive may not be in excess of 261 days.

Summary of Bill:

The Program is extended to include employees who are victims of domestic violence, sexual assault, or stalking. An employee who is a victim is eligible to receive shared leave once he or she has used all of his or her annual leave.

For purposes of the act, "domestic violence" is defined as:

- physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury, or assault between family or household members as defined by statute;
- sexual assault of one family or household member by another family or household member; or
- stalking of one family or household member by another family or household member.

"Sexual assault" is defined in statute as rape or rape of a child; assault with intent to commit rape; incest or indecent liberties; child molestation; sexual misconduct with a minor; custodial sexual misconduct; crimes with a sexual motivation; or an attempt to commit any of these offenses.

State law provides that "stalking" is committed if a person intentionally and repeatedly harasses or repeatedly follows another person and the person being harassed or followed is in fear that the stalker intends to injure him or her or another person, or his or her property or the property of another person.

"Victim" is defined as a person against whom domestic violence, sexual assault, or stalking has been committed.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect October 1, 2008.

Staff Summary of Public Testimony:

(In support) The purpose of the bill is to allow employees to apply for shared leave if the employee is the victim of domestic violence, sexual assault, or stalking. Under certain conditions, these victims would be able to use sick leave, but it depends on the case.

(Opposed) None.

Persons Testifying: Chris Johnson, Office of the Attorney General.

Persons Signed In To Testify But Not Testifying: None.