

HOUSE BILL REPORT

HB 1802

As Reported by House Committee On:
Community Development, Housing & Tribal Affairs
Appropriations

Title: An act relating to increasing the access of veterans, military service members, and military spouses to shared leave in state employment.

Brief Description: Increasing the access of veterans, military service members, and military spouses to shared leave in state employment.

Sponsors: Representatives Reeves, Springer, Kilduff, Farrell, Appleton, Stonier, Stanford, Kloba, Frame, Ryu, Tharinger, Pellicciotti, Macri, Chapman, Fitzgibbon, Jinkins, Orwall, Doglio, Lovick, Riccelli, Peterson, Gregerson, Blake, Ortiz-Self, Ormsby, Bergquist, Fey and Pollet.

Brief History:

Committee Activity:

Community Development, Housing & Tribal Affairs: 2/8/17, 2/9/17 [DPS];
Appropriations: 2/22/17 [DP2S(w/o sub CDHT)].

Brief Summary of Second Substitute Bill

- Creates the Veterans' In-State Service Shared Leave Pool (VISSLP).
- Allows state employees who are veterans or their spouses, who are caring for them, to access shared leave from the VISSLP.

HOUSE COMMITTEE ON COMMUNITY DEVELOPMENT, HOUSING & TRIBAL AFFAIRS

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 7 members: Representatives Ryu, Chair; Macri, Vice Chair; McCabe, Ranking Minority Member; Barkis, Assistant Ranking Minority Member; Jenkin, Reeves and Sawyer.

Staff: Kirsten Lee (786-7133).

Background:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Leave Sharing Program.

In 1989 the Legislature established a leave sharing program for state and school district employees. The leave sharing program allows state and school district employees who have exhausted their accrued sick, annual, and/or military leave to use additional paid leave donated by their colleagues under certain qualifying circumstances.

An employee may benefit from the leave sharing program if he or she: suffers from personal illness or injury; is caring for a sick or injured family or household member; is the victim of domestic violence, sexual assault, or stalking; has been called into military service; or is responding in service to a devastated area in a declared emergency or aftermath. In order to qualify for the leave sharing program, one of these circumstances must have caused, or is likely to cause, the employee to go on leave-without-pay status or to terminate employment.

The amount of shared leave an employee may receive is determined by the agency head and may not exceed the requested amount, up to a maximum of 522 days unless extraordinary circumstances apply. The amount of shared leave received under the Uniformed Service Shared Leave Pool (Pool) is not included in the maximum number of allowable days.

Uniformed Service Shared Leave Pool.

The Pool allows state employees to donate leave to be used as shared leave for any state employee called to service in the uniformed services. "Uniformed services" means the Armed Forces, the Army National Guard, and the Air National Guard of any state, territory, commonwealth, possession, or district when engaged in active duty for training, inactive duty training, full-time National Guard duty, or state active duty, the Commissioned Corps of the Public Health Service, the Coast Guard, and any other category of persons designated by the President of the United States in a time of war or national emergency.

Leave may not be granted from the Pool unless the Pool has a sufficient balance to fund the requested leave for the expected term of service and the employee has met the qualifications of the leave sharing program. If granted, shared leave paid under the 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 monthly salary and special pay and shift differential, or the equivalent for hourly employees, 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.

Summary of Substitute Bill:

The Veterans' In-State Service Shared Leave Pool (VISSLP) is created. The VISSLP allows state employees to donate leave to be used as shared leave for any state veteran employee or their spouses caring for them. All employees who donate to the VISSLP must specify their intent to donate to VISSLP. "Veteran" means any person who, at the time he or she seeks certain benefits, has received an honorable discharge, is actively serving honorably, or received a discharge for physical reasons with an honorable record and who meets at least one the following criteria:

- the person has served between World War I and World War II or during any period of war; or
- the person has received the Armed Forces Expeditionary Medal, or Marine Corps and Navy Expeditionary Medal, for opposed action on foreign soil.

Leave may not be granted from the VISSLP unless the VISSLP has a sufficient balance to fund the requested leave period and the employee has met the qualifications of the leave sharing program. If granted, shared leave paid under the VISSLP, in combination with the employee's salary, may not exceed the level of the employee's state monthly salary. Monthly salary includes monthly salary and special pay and shift differential, or the equivalent for hourly employees, but does not include overtime pay, call-back pay, standby pay, or performance bonuses.

Agency heads must allow employees who are veterans and their spouses to access shared leave from the VISSLP upon employment.

Substitute Bill Compared to Original Bill:

The substitute bill:

- eliminates an additional access to the Uniformed Service Shared Leave Pool; and
- creates the Veterans' In-State Service Shared Leave Pool to provide leave access to veterans and their spouses immediately upon employment.

Appropriation: None.

Fiscal Note: Available.

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

Staff Summary of Public Testimony:

(In support) The goal of this legislation is to ensure that veterans, and their spouses caring for them, have access to shared leave during periods of time when there may not have been an opportunity to accrue leave, so they do not have to choose between having healthcare or employment. Additionally, for those serving in the military, regardless of how well leave is managed, it can be difficult to accrue leave. The additional access to shared leave provides outreach to these individuals, helps retain employees, and allows veterans, military members, and their spouses caring for them, the ability to take paid leave for reasons including medical appointments.

(Opposed) None.

Persons Testifying: Representative Reeves, prime sponsor; Jerry Fugich, Veterans of Foreign Wars; and Deryl McCarty, Veterans Legislative Coalition.

Persons Signed In To Testify But Not Testifying: None.

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Community Development, Housing & Tribal Affairs. Signed by 32 members: Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist, Buys, Caldier, Cody, Condotta, Fitzgibbon, Haler, Hansen, Harris, Hudgins, Jinkins, Kagi, Lytton, Manweller, Nealey, Pettigrew, Pollet, Sawyer, Schmick, Senn, Springer, Stanford, Sullivan, Tharinger, Vick, Volz and Wilcox.

Minority Report: Do not pass. Signed by 1 member: Representative Taylor.

Staff: David Pringle (786-7310).

Summary of Recommendation of Committee On Appropriations Compared to Recommendation of Committee On Community Development, Housing & Tribal Affairs:

A null and void clause is added, making the bill null and void unless funded in the budget.

Appropriation: None.

Fiscal Note: Preliminary fiscal note available for substitute bill.

Effective Date of Second Substitute Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed. However, the bill is null and void unless funded in the budget.

Staff Summary of Public Testimony:

(In support) None.

(Opposed) None.

Persons Testifying: None.

Persons Signed In To Testify But Not Testifying: None.