

FINAL BILL REPORT

E2SHB 1802

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Synopsis as Enacted

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

Sponsors: House Committee on Appropriations (originally sponsored by Representatives Reeves, Springer, Kilduff, Farrell, Appleton, Stonier, Stanford, Kloba, Frame, Ryu, Tharinger, Pellicciotti, Macri, Chapman, Fitzgibbon, Jenkins, Orwall, Doglio, Lovick, Riccelli, Peterson, Gregerson, Blake, Ortiz-Self, Ormsby, Bergquist, Fey and Pollet).

House Committee on Community Development, Housing & Tribal Affairs
House Committee on Appropriations
Senate Committee on State Government
Senate Committee on Ways & Means

Background:

Leave Sharing Program.

The leave sharing program allows state and school district employees who have exhausted their accrued sick, annual, 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 eligible state employees called to service in the uniformed services. "Uniformed services" means the

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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:

Leave Sharing Program.

Agency heads are allowed to permit an employee to receive shared leave if the employee is a:

- current member of the uniformed services or a veteran, and is attending medical appointments or treatments for a service-related injury; or
- spouse of a current uniformed service member or veteran, who is attending medical appointments or treatments for a service-connected injury or disability and requires assistance while attending an appointment or treatment.

"Veteran" means any person who, at the time he or she seeks certain benefits, has received an honorable discharge, is actively serving honorably, or has 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.

"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.

Agency heads must allow employees who are veterans and their spouses to access shared leave from the Veterans' In-State Service Shared Leave Pool (VISSLP) upon employment.

Veterans' In-State Service Shared Leave Pool.

The VISSLP is created. The VISSLP is administered by the Washington Department of Veterans Affairs (WDVA) and allows state employees to donate leave to be used as shared leave for state veteran employees or their spouses caring for them. Employees called to

service in the uniformed services are not eligible for shared leave from the VISSLP. All employees who donate to the VISSLP must specify their intent to donate to the VISSLP. "Veteran" and "uniformed services" have the same meaning as defined in the Leave Sharing Program.

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. It does not include overtime pay, call-back pay, standby pay, or performance bonuses.

The Office of Financial Management must consult with the WDVA in its adoption of rules and policies governing the donation and use of shared leave from the VISSLP.

Votes on Final Passage:

House	98	0
Senate	49	0

Effective: July 23, 2017