

SENATE BILL REPORT

SHB 1434

As Reported by Senate Committee On:
State Government, March 29, 2017
Ways & Means, April 3, 2017

Title: An act relating to adding the use of shared leave for employees who are sick or temporarily disabled because of pregnancy disability or for the purposes of parental leave to bond with the employee's newborn, adoptive, or foster child.

Brief Description: Adding the use of shared leave for employees who are sick or temporarily disabled because of pregnancy disability or for the purposes of parental leave to bond with the employee's newborn, adoptive, or foster child.

Sponsors: House Committee on State Govt, Elections & IT (originally sponsored by Representatives Robinson, Ormsby, Jinkins, Appleton, Senn, Kilduff, Stanford, Slatter, Kagi and Pollet; by request of Office of Financial Management).

Brief History: Passed House: 3/01/17, 68-30.

Committee Activity: State Government: 3/29/17, 3/29/17 [DP-WM].

Ways & Means: 3/31/17, 4/03/17 [DP, w/oRec].

Brief Summary of Bill

- Allows employees to use the shared leave program for a pregnancy disability and parental leave.
- Defines parental leave and pregnancy disability.

SENATE COMMITTEE ON STATE GOVERNMENT

Majority Report: Do pass and be referred to Committee on Ways & Means.

Signed by Senators Miloscia, Chair; Zeiger, Vice Chair; Hunt, Ranking Minority Member; Kuderer and Pearson.

Staff: Melissa Van Gorkom (786-7491)

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: Do pass.

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.

Signed by Senators Braun, Chair; Brown, Vice Chair; Rossi, Vice Chair; Honeyford, Vice Chair, Capital Budget ; Ranker, Ranking Minority Member; Rolfes, Assistant Ranking Minority Member, Operating Budget; Frockt, Assistant Ranking Minority Member, Capital Budget; Bailey, Becker, Billig, Carlyle, Conway, Darneille, Fain, Hasegawa, Keiser, Miloscia, Pedersen, Rivers, Schoesler, Warnick and Zeiger.

Minority Report: That it be referred without recommendation.

Signed by Senator Padden.

Staff: Amanda Cecil (786-7460)

Background: Shared Leave Program. 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 to cause the employee to take leave without pay or terminate their employment. The Program does not currently permit state employees to provide leave to fellow state employees who have a pregnancy disability.

The agency head determines the amount of leave, if any, an employee may receive under this section; however, an employee may not receive a total of more than 522 days of leave unless extraordinary circumstances apply.

Employees may transfer a specified amount of sick leave to an employee requesting shared leave as long as they maintain a minimum of 176 hours of sick leave or 10 days of annual leave after the transfer.

Summary of Bill: An agency head may permit an employee to receive donated personal holidays, annual or sick leave if the employee is sick or temporarily disabled because of a pregnancy disability or for the purpose of parental leave.

The employee is not required to deplete all of their annual leave and sick leave to be eligible for shared leave for a pregnancy disability or parental leave and can maintain up to 40 hours of annual leave and sick leave in reserve.

Parental leave means leave to bond and care for:

- a newborn child after birth; or
- a child after placement for adoption or foster care, for a period of up to 16 weeks after the birth or placement.

Pregnancy disability means a pregnancy-related medical condition or miscarriage.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: The bill contains an emergency clause and takes effect on July 1, 2017.

Staff Summary of Public Testimony (State Government): PRO: This bill adds pregnancy disability and parental leave to the list of things authorized under the shared leave program. This version of the bill narrows a drafting error by defining pregnancy disability which makes it clearer. This issue was brought up in collective bargaining and was included in the contract with null and void language should the legislation not pass. The bill would have a significant impact in the lives of state employees and would make the state of Washington more family friendly. There is another bill pertaining to foster care but this bill is the preferred approach.

Persons Testifying (State Government): PRO: Scott Merriman, Office of Financial Management; Seamus Petrie, Washington Public Employees Association; Dennis Eagle, WA Federation of State Employees.

Persons Signed In To Testify But Not Testifying (State Government): No one.

Staff Summary of Public Testimony (Ways & Means): PRO: The uses of shared leave are established in law and this expands that to make the program more family-friendly. This should not have significant costs because it does not increase the amount of leave. House amendments clarified what constitutes a pregnancy disability.

Persons Testifying (Ways & Means): PRO: Seamus Petrie, Washington Public Employees Association; Scott Merriman, OFM; Dennis Eagle, WA Federation of State Employees.

Persons Signed In To Testify But Not Testifying (Ways & Means): No one.