
Labor & Workplace Standards Committee

HB 1992

Brief Description: Concerning vacation leave accrual for public employees.

Sponsors: Representatives Bateman, Leavitt, Berry, Macri, Frame, Pollet, Bronoske, Taylor, Valdez, Slatter, Kloba and MacEwen.

Brief Summary of Bill

- Increases the cap on accrued vacation leave for state employees from 240 hours to 280 hours.
- Removes limits on the maximum amount of sick leave a school district employee may accumulate or use for the purposes of unused-leave compensation.
- Requires school districts to establish an emergency leave pool for staff who become ill or need to quarantine.

Hearing Date: 1/25/22

Staff: Jessica Cable (786-7290) and Lily Smith (786-7175).

Background:

State Employees.

State employees are entitled to at least eight hours of vacation leave with full pay for each month of employment. State employees may accrue 240 hours of total unused vacation leave.

State employees may accrue leave between the time 240 hours is accrued and the anniversary date of employment without a statement of necessity. If an employee does not use the excess

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leave by the anniversary date, then the leave is extinguished. If a leave request is deferred by reason of the employing office, department, or institution's convenience and a statement of necessity is retained by the agency, the accrued leave cap will be extended for each month that the leave is deferred.

When an employee has been terminated by a reduction in force, resignation, dismissal, or retirement, so long as the employee has been employed for at least six months, the employee is entitled to be paid for the amount of vacation leave accrued. If the employee dies, their estate is entitled to be paid the amount of vacation leave accrued.

Retirement Systems.

There are a variety of retirement systems for public employees, including the Washington State Patrol Retirement System (WSPRS), the Public Employees' Retirement System (PERS) and the Teachers' Retirement System (TRS). Retirement systems are divided into plans based on when the employee became a member.

K-12 Employees.

School districts are required to provide sick leave at the following rates:

- at least ten days for employees under contract for a full year;
- at a ten-day-per-year rate for part-time employees; and
- for certificated and classified employees, at a rate not to exceed twelve days per year.

Sick leave provided to district employees must accumulate from year to year, up to either a maximum of 180 days or the number of contract days agreed to in a given contract, but not greater than one year.

Employee Attendance Incentive Program.

School districts may establish policies that allow for eligible employees to receive remuneration for unused sick leave, equal to one day's monetary compensation for each four full days of accrued sick leave. Up to 12 days of accrued sick leave may be used per year. Eligible employees separating from school district employment must receive remuneration at a rate equal to one day's current compensation for each four full days of accrued sick leave.

Summary of Bill:

State Employees.

State employees are permitted to accrue up to 280 hours of unused vacation leave. Internal references in statutory provisions relating to Teachers' Retirement (TRS) Plan 1 and Public Employees Retirement System (PERS) Plan 1 are changed to clarify that pensions under those plans remain unaffected by the increase in the cap.

Retirement Systems.

The definition of salary for calculating pension benefits for the Washington State Patrol Retirement System (WSPRS) members commissioned before July 1, 2001, is changed to exclude

lump sum payments for unused vacation and annual leave in excess of 240 hours, plus hours earned since anniversary date.

K-12 Employees.

Maximum limits on the amount of sick leave a district employee may accumulate are removed, including the maximum days that may be used under the employee attendance incentive program.

School districts affected by public health emergencies must establish a pool of paid emergency leave available to staff who become ill or need to quarantine and who have limited sick leave balances, with priority given to those with 10 days or less of available sick leave.

Appropriation: None.

Fiscal Note: Requested on January 19, 2022.

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