
HOUSE BILL 2328

State of Washington

68th Legislature

2024 Regular Session

By Representatives Low, Bronoske, Duerr, Rule, Chambers, Berry, Bateman, Doglio, Nance, Timmons, Reed, Riccelli, Springer, and Ramel

Read first time 01/12/24. Referred to Committee on Labor & Workplace Standards.

1 AN ACT Relating to continued health benefits during paid family
2 and medical leave for firefighters of small fire districts; and
3 amending RCW 50A.35.020.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 50A.35.020 and 2019 c 13 s 39 are each amended to
6 read as follows:

7 (1) If required by the federal family and medical leave act, as
8 it existed on October 19, 2017, during any period of family or
9 medical leave taken under this title, the employer shall maintain any
10 existing health benefits of the employee in force for the duration of
11 such leave as if the employee had continued to work from the date the
12 employee commenced family or medical leave until the date the
13 employee returns to employment. If the employer and employee share
14 the cost of the existing health benefits, the employee remains
15 responsible for the employee's share of the cost.

16 (2)(a) If an employer is not required to maintain the existing
17 health benefits of an employee, who is a firefighter, pursuant to
18 subsection (1) of this section only because the employer is a small
19 fire district, then the employer shall maintain the health benefits
20 of the employee in force for the duration of such leave as if the
21 employee had continued to work from the date the employee commenced

1 paid family or medical leave under this chapter until the date the
2 employee returns to employment. If the employer and employee share
3 the cost of the existing health benefits, the employee remains
4 responsible for the employee's share of the cost.

5 (b) The definitions in this subsection (2)(b) apply throughout
6 this subsection unless the context clearly requires otherwise.

7 (i) "Small fire district" means a fire district, regional fire
8 protection service authority, or regional fire protection district
9 that employs employees at a worksite at which less than 50 employees
10 are employed if the total number of employees employed by that
11 employer within 75 miles of that worksite is less than 50.

12 (ii) "Firefighter" has the same meaning as in RCW 41.26.030(17)
13 (a), (b), (c), and (h).

14 (3) This section does not apply to an employee who is not in
15 employment for an employer at the time of filing an application for
16 benefits.

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