
SENATE BILL 5295

State of Washington

53rd Legislature

1993 Regular Session

By Senators Fraser and Winsley

Read first time 01/21/93. Referred to Committee on Government Operations.

1 AN ACT Relating to state employees; and amending RCW 43.01.040 and
2 43.01.044.

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

4 **Sec. 1.** RCW 43.01.040 and 1984 c 184 s 19 are each amended to read
5 as follows:

6 Each subordinate officer and employee of the several offices,
7 departments, and institutions of the state government shall be entitled
8 under their contract of employment with the state government to not
9 less than one working day of vacation leave with full pay for each
10 month of employment if said employment is continuous for six months.

11 Each such subordinate officer and employee shall be entitled under
12 such contract of employment to not less than one additional working day
13 of vacation with full pay each year for satisfactorily completing the
14 first two, three and five continuous years of employment respectively.

15 Such part time officers or employees of the state government who
16 are employed on a regular schedule of duration of not less than one
17 year shall be entitled under their contract of employment to that
18 fractional part of the vacation leave that the total number of hours of

1 such employment bears to the total number of hours of full time
2 employment.

3 Each subordinate officer and employee of the several offices,
4 departments and institutions of the state government shall be entitled
5 under his contract of employment with the state government to accrue
6 unused vacation leave not to exceed (~~(thirty)~~) forty working days.
7 Officers and employees transferring within the several offices,
8 departments and institutions of the state government shall be entitled
9 to transfer such accrued vacation leave to each succeeding state
10 office, department or institution. All vacation leave shall be taken
11 at the time convenient to the employing office, department or
12 institution: PROVIDED, That if a subordinate officer's or employee's
13 request for vacation leave is deferred by reason of the convenience of
14 the employing office, department or institution, and a statement of the
15 necessity therefor is filed by such employing office, department or
16 institution with the appropriate personnel board or other state agency
17 or officer, then the aforesaid maximum (~~(thirty)~~) forty working days of
18 accrued unused vacation leave shall be extended for each month said
19 leave is so deferred.

20 **Sec. 2.** RCW 43.01.044 and 1983 c 283 s 1 are each amended to read
21 as follows:

22 As an alternative, in addition to the provisions of RCW 43.01.040
23 authorizing the accumulation of vacation leave in excess of (~~(thirty)~~)
24 forty days with the filing of a statement of necessity, vacation leave
25 in excess of (~~(thirty)~~) forty days may also be accumulated as provided
26 in this section but without the filing of a statement of necessity.
27 The accumulation of leave under this alternative method shall be
28 governed by the following provisions:

29 (1) Each subordinate officer and employee of the several offices,
30 departments, and institutions of state government may accumulate the
31 vacation leave days between the time (~~(thirty)~~) forty days is accrued
32 and his or her anniversary date of state employment.

33 (2) All vacation days accumulated under this section shall be used
34 by the anniversary date and at a time convenient to the employing
35 office, department, or institution. If an officer or employee does not
36 use the excess leave by the anniversary date, then such leave shall be
37 automatically extinguished and considered to have never existed.

1 (3) This section shall not result in any increase in a retirement
2 allowance under any public retirement system in this state.

3 (4) Should the legislature revoke any benefits or rights provided
4 under this section, no affected officer or employee shall be entitled
5 thereafter to receive such benefits or exercise such rights as a matter
6 of contractual right.

7 (5) Vacation leave credit acquired and accumulated under this
8 section shall never, regardless of circumstances, be deferred by the
9 employing office, department or institution by filing a statement of
10 necessity under the provisions of RCW 43.01.040.

11 (6) Notwithstanding any other provision of this chapter, on or
12 after July 24, 1983, a statement of necessity for excess leave, shall
13 as a minimum, include the following: (a) the specific number of days
14 of excess leave; and (b) the date on which it was authorized. A copy
15 of any such authorization shall be sent to the department of retirement
16 systems.

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