

1 **SSB 6426 - H AMD Adopted 3-8-02 0493**

2 By Representative \_\_\_\_

3 Strike everything after the enacting clause and insert the  
4 following:

5 "Sec. 1. RCW 49.12.270 and 1988 c 236 s 3 are each amended to  
6 read as follows:

7 (1) If, under the terms of a collective bargaining agreement or  
8 employer policy applicable to an employee, the employee is entitled to  
9 sick leave or other paid time off, then an employer shall allow an  
10 employee to use any or all of the employee's ((accrued)) choice of sick  
11 leave or other paid time off to care for ((a)): (a) A child of the  
12 employee ((under the age of eighteen)) with a health condition that  
13 requires treatment or supervision; or (b) a spouse, parent, parent-in-  
14 law, or grandparent of the employee who has a serious health condition  
15 or an emergency condition. An employee may not take advance leave  
16 until it has been earned. The employee taking leave under the  
17 circumstances described in this section must comply with the terms of  
18 the collective bargaining agreement or employer policy applicable to  
19 the leave, except for any terms relating to the choice of leave.

20 (2) Use of leave other than ((accrued)) sick leave or other paid  
21 time off to care for a child, spouse, parent, parent-in-law, or  
22 grandparent under the circumstances described in this section shall be  
23 governed by the terms of the appropriate collective bargaining  
24 agreement or employer policy, as applicable.

25 NEW SECTION. Sec. 2. A new section is added to chapter 49.12 RCW  
26 to read as follows:

27 The definitions in this section apply throughout RCW 49.12.270  
28 through 49.12.295 unless the context clearly requires otherwise.

29 (1) "Child" means a biological, adopted, or foster child, a  
30 stepchild, a legal ward, or a child of a person standing in loco  
31 parentis who is: (a) Under eighteen years of age; or (b) eighteen  
32 years of age or older and incapable of self-care because of a mental or  
33 physical disability.

34 (2) "Grandparent" means a parent of a parent of an employee.

1 (3) "Parent" means a biological parent of an employee or an  
2 individual who stood in loco parentis to an employee when the employee  
3 was a child.

4 (4) "Parent-in-law" means a parent of the spouse of an  
5 employee. (5) "Sick leave or other paid time off" means time allowed  
6 under the terms of an appropriate collective bargaining agreement or  
7 employer policy, as applicable, to an employee for illness, vacation,  
8 and personal holiday.

9 (6) "Spouse" means a husband or wife, as the case may be.

10 NEW SECTION. Sec. 3. A new section is added to chapter 49.12 RCW  
11 to read as follows:

12 An employer shall not discharge, threaten to discharge, demote,  
13 suspend, discipline, or otherwise discriminate against an employee  
14 because the employee: (1) Has exercised, or attempted to exercise, any  
15 right provided under RCW 49.12.270 through 49.12.295; or (2) has filed  
16 a complaint, testified, or assisted in any proceeding under RCW  
17 49.12.270 through 49.12.295.

18 NEW SECTION. Sec. 4. This act takes effect January 1, 2003."

**EFFECT:**

- Ø Changes the purposes for which leave may be taken. Leave may be taken to care for a spouse, parent, parent-in-law, or grandparent who has a serious health condition or an emergency condition.
- Ø Provides that an employee taking leave must comply with the terms of collective bargaining agreements or employer policies applicable to the leave, except for the terms relating to the choice of leave.
- Ø Prohibits an employee from taking advance leave until it is earned.
- Ø Adds an effective date of January 1, 2003.