CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 6426

Chapter 243, Laws of 2002

57th Legislature 2002 Regular Session

EMPLOYER-GRANTED LEAVE--CARE FOR FAMILY MEMBERS

EFFECTIVE DATE: 1/1/03

Passed by the Senate March 12, 2002 CERTIFICATE YEAS 41 NAYS 4 I, Tony M. Cook, Secretary of the Senate of the State of Washington, do hereby certify that the attached is BRAD OWEN President of the Senate SUBSTITUTE SENATE BILL 6426 as passed by the Senate and the House of Representatives on the dates hereon Passed by the House March 8, 2002 YEAS 96 NAYS 0 set forth. FRANK CHOPP TONY M. COOK Speaker of the Secretary House of Representatives Approved March 29, 2002 FILED

GARY LOCKE

Governor of the State of Washington

March 29, 2002 - 3:38 p.m.

Secretary of State

State of Washington

SUBSTITUTE SENATE BILL 6426

AS AMENDED BY THE HOUSE

Passed Legislature - 2002 Regular Session

State of Washington 57th Legislature

2002 Regular Session

By Senate Committee on Labor, Commerce & Financial Institutions (originally sponsored by Senators Keiser, Winsley, Prentice, Franklin, Thibaudeau and Kohl-Welles)

READ FIRST TIME 02/04/2002.

- 1 AN ACT Relating to use of employer-granted leave to care for family
- 2 members with serious medical conditions; amending RCW 49.12.270; adding
- 3 new sections to chapter 49.12 RCW; and providing an effective date.
- 4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:
- 5 **Sec. 1.** RCW 49.12.270 and 1988 c 236 s 3 are each amended to read 6 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 <u>any or all of</u> the employee's ((accrued)) choice of sick
- 11 leave or other paid time off to care for: (a) A child of the employee
- 12 ((under the age of eighteen)) with a health condition that requires
- 13 treatment or supervision; or (b) a spouse, parent, parent-in-law, or
- 14 grandparent of the employee who has a serious health condition or an
- 15 emergency condition. An employee may not take advance leave until it
- 16 has been earned. The employee taking leave under the circumstances
- 17 <u>described in this section must comply with the terms of the collective</u>
- 18 <u>bargaining agreement or employer policy applicable to the leave, except</u>
- 19 for any terms relating to the choice of leave.

- 1 (2) Use of leave other than ((accrued)) sick leave or other paid
- 2 <u>time off</u> to care for a child, <u>spouse</u>, <u>parent</u>, <u>parent-in-law</u>, <u>or</u>
- 3 grandparent under the circumstances described in this section shall be
- 4 governed by the terms of the appropriate collective bargaining
- 5 agreement or employer policy, as applicable.
- 6 NEW SECTION. Sec. 2. A new section is added to chapter 49.12 RCW
- 7 to read as follows:
- 8 The definitions in this section apply throughout RCW 49.12.270
- 9 through 49.12.295 unless the context clearly requires otherwise.
- 10 (1) "Child" means a biological, adopted, or foster child, a
- 11 stepchild, a legal ward, or a child of a person standing in loco
- 12 parentis who is: (a) Under eighteen years of age; or (b) eighteen years
- 13 of age or older and incapable of self-care because of a mental or
- 14 physical disability.
- 15 (2) "Grandparent" means a parent of a parent of an employee.
- 16 (3) "Parent" means a biological parent of an employee or an
- 17 individual who stood in loco parentis to an employee when the employee
- 18 was a child.
- 19 (4) "Parent-in-law" means a parent of the spouse of an employee.
- 20 (5) "Sick leave or other paid time off" means time allowed under
- 21 the terms of an appropriate collective bargaining agreement or employer
- 22 policy, as applicable, to an employee for illness, vacation, and
- 23 personal holiday.
- 24 (6) "Spouse" means a husband or wife, as the case may be.
- NEW SECTION. Sec. 3. A new section is added to chapter 49.12 RCW
- 26 to read as follows:
- 27 An employer shall not discharge, threaten to discharge, demote,
- 28 suspend, discipline, or otherwise discriminate against an employee
- 29 because the employee: (1) Has exercised, or attempted to exercise, any
- 30 right provided under RCW 49.12.270 through 49.12.295; or (2) has filed
- 31 a complaint, testified, or assisted in any proceeding under RCW
- 32 49.12.270 through 49.12.295.
- 33 <u>NEW SECTION.</u> **Sec. 4.** This act takes effect January 1, 2003.

Passed the Senate March 12, 2002.

Passed the House March 8, 2002.

Approved by the Governor March 29, 2002.

Filed in Office of Secretary of State March 29, 2002.