

CERTIFICATION OF ENROLLMENT

**SENATE BILL 6059**

Chapter 356, Laws of 2006

59th Legislature  
2006 Regular Session

STATE EMPLOYEES--POOLED SICK LEAVE

EFFECTIVE DATE: 7/1/07

Passed by the Senate March 4, 2006  
YEAS 48 NAYS 0

BRAD OWEN

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**President of the Senate**

Passed by the House March 2, 2006  
YEAS 95 NAYS 2

FRANK CHOPP

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**Speaker of the House of Representatives**

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 6059** as passed by the Senate and the House of Representatives on the dates hereon set forth.

THOMAS HOEMANN

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**Secretary**

Approved March 30, 2006.

FILED

March 30, 2006 - 3:36 p.m.

CHRISTINE GREGOIRE

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**Governor of the State of Washington**

**Secretary of State  
State of Washington**

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**SENATE BILL 6059**

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AS AMENDED BY THE HOUSE

Passed Legislature - 2006 Regular Session

**State of Washington                      59th Legislature                      2006 Regular Session**

**By** Senators Berkey, Haugen, McAuliffe, Franklin, Rockefeller, Schoesler, Eide, Weinstein, Rasmussen, Shin, Delvin, Mulliken, Oke, Parlette and Kohl-Welles

Read first time 02/28/2005. Referred to Committee on Labor, Commerce, Research & Development.

1            AN ACT Relating to sick leave pools for state employees; adding a  
2 new section to chapter 41.04 RCW; and providing an effective date.

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

4            NEW SECTION.    **Sec. 1.** A new section is added to chapter 41.04 RCW  
5 to read as follows:

6            The department of personnel and other personnel authorities shall  
7 adopt rules or policies governing the accumulation and use of sick  
8 leave for state agency and department employees, expressly for the  
9 establishment of a plan allowing participating employees to pool sick  
10 leave and allowing any sick leave thus pooled to be used by any  
11 participating employee who has used all of the sick leave, annual  
12 leave, and compensatory leave that has been personally accrued by him  
13 or her. Each department or agency of the state may allow employees to  
14 participate in a sick leave pool established by the department of  
15 personnel and other personnel authorities.

16            (1) For purposes of calculating maximum sick leave that may be  
17 donated or received by any one employee, pooled sick leave:

18            (a) Is counted and converted in the same manner as sick leave under

1 the Washington state leave sharing program as provided in this chapter;  
2 and

3 (b) Does not create a right to sick leave in addition to the amount  
4 that may be donated or received under the Washington state leave  
5 sharing program as provided in this chapter.

6 (2) The department and other personnel authorities, except the  
7 personnel authorities for higher education institutions, shall adopt  
8 rules which provide:

9 (a) That employees are eligible to participate in the sick leave  
10 pool after one year of employment with the state or agency of the state  
11 if the employee has accrued a minimum amount of unused sick leave, to  
12 be established by rule;

13 (b) That participation in the sick leave pool shall, at all times,  
14 be voluntary on the part of the employees;

15 (c) That any sick leave pooled shall be removed from the personally  
16 accumulated sick leave balance of the employee contributing the leave;

17 (d) That any sick leave in the pool that is used by a participating  
18 employee may be used only for the employee's personal illness,  
19 accident, or injury;

20 (e) That a participating employee is not eligible to use sick leave  
21 accumulated in the pool until all of his or her personally accrued  
22 sick, annual, and compensatory leave has been used;

23 (f) A maximum number of days of sick leave in the pool that any one  
24 employee may use;

25 (g) That a participating employee who uses sick leave from the pool  
26 is not required to re contribute such sick leave to the pool, except as  
27 otherwise provided in this section;

28 (h) That an employee who cancels his or her membership in the sick  
29 leave pool is not eligible to withdraw the days of sick leave  
30 contributed by that employee to the pool;

31 (i) That an employee who transfers from one position in state  
32 government to another position in state government may transfer from  
33 one pool to another if the eligibility criteria of the pools are  
34 comparable and the administrators of the pools have agreed on a formula  
35 for transfer of credits;

36 (j) That alleged abuse of the use of the sick leave pool shall be  
37 investigated, and, on a finding of wrongdoing, the employee shall repay

1 all of the sick leave credits drawn from the sick leave pool and shall  
2 be subject to such other disciplinary action as is determined by the  
3 agency head;

4 (k) That sick leave credits may be drawn from the sick leave pool  
5 by a part-time employee on a pro rata basis; and

6 (l) That each department or agency shall maintain accurate and  
7 reliable records showing the amount of sick leave which has been  
8 accumulated and is unused by employees, in accordance with guidelines  
9 established by the department of personnel.

10 (3) Personnel authorities for higher education institutions shall  
11 adopt policies consistent with the needs of the employees under their  
12 respective jurisdictions.

13 NEW SECTION. **Sec. 2.** This act takes effect July 1, 2007.

Passed by the Senate March 4, 2006.

Passed by the House March 2, 2006.

Approved by the Governor March 30, 2006.

Filed in Office of Secretary of State March 30, 2006.