

SHB 3305 - H AMD 1239

By Representative Condotta

1 On page 9, after line 15, insert the following:

2 "Sec. 10. RCW 49.86.140 and 2007 c 357 s 16 are each amended
3 to read as follows:

4 (1)(a) This chapter does not create a right for an employee to
5 take leave that exceeds leave allowed under, or is in addition to
6 leave permitted by, the federal family and medical leave act of
7 1993 (Act Feb. 5, 1993, P.L. 103-3, 107 Stat. 6) or under chapter
8 49.78 RCW.

9 (b) Leave taken under this chapter must be taken concurrently
10 with any leave taken under the federal family and medical leave act
11 of 1993 (Act Feb. 5, 1993, P.L. 103-3, 107 Stat. 6) or under
12 chapter 49.78 RCW.

13 (~~(b)~~) (c) An employer may require that leave taken under this
14 chapter be taken concurrently or otherwise coordinated with leave
15 allowed under the terms of a collective bargaining agreement or
16 employer policy, as applicable, for the birth or placement of a
17 child. The employer must give individuals in its employ written
18 notice of this requirement.

19 (2)(a) This chapter does not diminish an employer's obligation
20 to comply with a collective bargaining agreement or employer
21 policy, as applicable, that provides greater leave for the birth or
22 placement of a child.

23 (b) An individual's right to leave under this chapter may not
24 be diminished by a collective bargaining agreement entered into or
25 renewed or an employer policy adopted or retained after July 1,
26 2008. Any agreement by an individual to waive his or her rights
27 under this chapter is void as against public policy."

28 Renumber the remaining sections consecutively and correct any
29 internal references accordingly.

1 On page 15, line 15, strike "10, 13, and 14" and insert "11,
2 14, and 15"

3 Correct the title.

EFFECT: Addresses coordination of leave by specifying that the state law on family leave insurance does not create a right for an employee to take leave that exceeds leave allowed under or that is in addition to leave under the federal Family and Medical Leave Act or the state Family Leave Law.