

HOUSE BILL REPORT

HB 2411

As Reported by House Committee On:
State Government & Tribal Relations

Title: An act relating to modifying shared leave provisions to authorize shared leave for victims of a hate crime and those whose absence is due to immigration enforcement actions against the employee or the employee's relative.

Brief Description: Modifying shared leave provisions to authorize shared leave for victims of a hate crime and those whose absence is due to immigration enforcement actions against the employee or the employee's relative.

Sponsors: Representatives Salahuddin, Berry, Street, Parshley, Ryu, Callan, Zahn, Scott, Obras, Simmons, Ramel, Thomas, Bergquist, Davis, Ormsby, Pollet, Santos, Macri, Goodman, Reed, Hill and Donaghy.

Brief History:

Committee Activity:

State Government & Tribal Relations: 1/13/26, 1/16/26 [DPS].

Brief Summary of Substitute Bill

- Expands the types of events that qualify a state employee for the leave sharing program to include employees who are victims of a hate crime and employees whose absence from work is due to the involvement of that employee or that employee's relative or household member in an immigration enforcement action.

HOUSE COMMITTEE ON STATE GOVERNMENT & TRIBAL RELATIONS

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 5 members: Representatives Mena, Chair; Stearns, Vice Chair; Walsh, Assistant Ranking Minority Member; Doglio and Farivar.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Minority Report: Do not pass. Signed by 2 members: Representatives Waters, Ranking Minority Member; Chase.

Staff: Desiree Omli (786-7105).

Background:

The shared leave program permits state employees, including employees of school districts and education service districts, to provide annual leave, sick leave, or personal holidays to other employees experiencing certain circumstances that may cause them to take leave without pay or terminate their employment. Agency heads may permit an employee to receive shared leave in specified circumstances, including when the employee:

- suffers, or has a relative or household member who is suffering, from an extraordinary or severe illness, injury, impairment, or physical or mental condition;
- has been called to service in the uniformed services;
- is a current member of the uniformed service or is a veteran and is attending medical appointments for a service-related injury;
- engages in emergency volunteer service upon a declaration of a state of emergency anywhere in the United States;
- is a victim of domestic violence, sexual assault, or stalking; or
- is sick or temporarily disabled due to a pregnancy.

To qualify for shared leave under this condition an employee must have depleted or will shortly deplete his or her annual leave and sick leave reserves, meaning the employee has 40 hours or less of applicable leave.

Within certain parameters, agency heads determine the amount of leave, if any, an employee may receive. An employee may not receive a total of more than 522 days of leave except in extraordinary circumstances. An employee may transfer leave to another employee at the same agency, or at another agency with approval of both agency heads, who qualifies for shared leave if the donating employee meets certain accrued annual leave or sick leave balances. Any unused leave is returned, upon certain conditions being met, at its original value to the employee or employees who transferred the leave when the agency head finds the leave is no longer needed or will not be needed at a future time in connection with the underlying condition.

Summary of Substitute Bill:

The types of events that qualify a state employee for the shared leave program are expanded to include:

- an employee who is a victim of a hate crime; and
- an employee whose absence from work is due to involvement of the employee or the employee's relative or household member in an immigration enforcement action,

such as detainment; the preparation for or participation in any judicial or administrative immigration proceeding; deportation; or any other hardship due to family separation caused by these actions.

For an employee to receive benefits under the shared leave program on the basis of the employee's involvement or the involvement of a relative or household member in an immigration enforcement action, the employee must be legally authorized to work in the United States. A relative or household member means a child, grandchild, grandparent, parent, sibling, or spouse of an employee, and also includes an individual who regularly resides in the employee's home where there is an expectation that the employee care for that person and that person depends on the employee for care.

An employer may request that the employee submit verification for leave due to an immigration enforcement action, but the employer must direct the employee not to disclose within the verification any personally identifiable information about the person's immigration status or underlying immigration protection. If an employee provides their immigration status or underlying immigration protection, that information is confidential and not subject to disclosure under the Public Records Act, except where disclosure is required to comply with federal or state law. If an employer requests verification, the employer must accept one of the following:

- documentation from certain individuals, from whom the employee or their family member sought assistance in addressing the immigration enforcement action, that confirms the employee's or their relative or household member's involvement in such action; or
- the employee's written statement that they or their family member is involved in an immigration enforcement action and that the leave taken is because of that immigration enforcement action.

Substitute Bill Compared to Original Bill:

The substitute bill requires that employees be legally authorized to work in the United States under federal law in order to qualify to use shared leave for workplace absences due to the employee's or their relative's involvement in an immigration enforcement action. The substitute bill also specifies that the prohibition on disclosure of a person's immigration status or underlying immigration protection is only applicable to the extent that it does not violate requirements under federal or state law. Further, the substitute bill makes technical corrections to align terms and correct a typo.

Appropriation: None.

Fiscal Note: Requested on January 12, 2026.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of the

session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) Expanding shared leave to employees who are involved in an immigration enforcement action helps to address long-term impacts of immigration actions against state employees. In 2025 a state employee who was in the country legally was detained and held in an out-of-state federal detention center. Although her fellow colleagues wanted to donate their leave to help, the shared leave law prohibited them from doing so. Allowing this type of workplace absence to qualify for shared leave would help higher education employees because many of them are in the state on a work visa. Expanding shared leave to employees who are experiencing hate crimes acknowledges that not only are hate crimes a criminal act, but also a disruptor to a person's work. When a person does not have enough leave to cover an unexpected workplace absence and has to take leave without pay or terminate their employment, they lose their health care coverage and ability to pay for basic necessities like rent or bills for mortgages or car loans.

This expansion of the shared leave program does not mandate that an employee take leave, nor does it increase costs. It does, however, strengthen communities and the workforce and allow state employees to support their coworkers during traumatic and stressful events in their lives. Washington benefits from the labor of all workers regardless of citizenship status and they need additional protections.

(Opposed) Legislative time is precious and there are many large policies that impact a large portion of the state's population. This policy does not impact a significant portion of the state's population, yet the Legislature is choosing to spend the limited time it has on this low-impact bill.

Persons Testifying: (In support) Representative Osman Salahuddin, prime sponsor; Sheri Sawyer, Office of Financial Management; Mike Yestramski, AFSCME Council 28 and Washington Federation of State Employees (WFSE); and Patrick Stickney, WA Office of Equity.

(Opposed) Jeff Pack, Washington Citizens Against Unfair Taxes; and Laurie Layne.

Persons Signed In To Testify But Not Testifying: None.