

SENATE BILL REPORT

SHB 2411

As Passed Senate, March 5, 2026

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: House Committee on State Government & Tribal Relations (originally sponsored by 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: Passed House: 1/29/26, 60-36.

Committee Activity: State Government, Tribal Affairs & Elections: 2/16/26, 2/24/26 [DP, DNP].

Floor Activity: Passed Senate: 3/5/26, 30-19.

Brief Summary of Bill

- Authorizes use of the shared leave program for employees who are victims of a hate crime and those whose absence is due to immigration enforcement actions against the employee or employee's relative.

SENATE COMMITTEE ON STATE GOVERNMENT, TRIBAL AFFAIRS & ELECTIONS

Majority Report: Do pass.

Signed by Senators Valdez, Chair; Kauffman, Vice Chair; Hasegawa and Riccelli.

Minority Report: Do not pass.

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.

Signed by Senators Wilson, J., Ranking Member; Fortunato and McCune.

Staff: Danielle Creech (786-7412)

Background: Shared Leave. The shared leave program permits state employees to donate their annual leave, sick leave, or personal holidays to fellow employees experiencing certain circumstances that may otherwise cause them to take leave without pay or terminate their employment. To qualify for shared leave, an employee must have depleted or will shortly deplete their 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, not to exceed 522 days except in extraordinary circumstances.

An employee may request to transfer a specified amount of annual leave to another eligible employee, but the donating employee may not transfer an amount that would result in their annual leave account going below ten days. An employee may transfer a specified amount of sick leave to an employee requesting shared leave only when the donating employee retains a minimum of 176 hours of sick leave after the transfer. To the extent administratively feasible, the value of unused leave which was transferred by more than one employee shall be returned on a pro rata basis. An employee who uses donated leave may not be required to repay the value of the leave used.

Agency heads may permit an employee to receive shared leave in specified circumstances, including if:

- the employee or their relative or household member suffers from an extraordinary or severe illness, injury, impairment, or physical or mental condition;
- the employee has been called to service in the uniformed services;
- the employee or their spouse is a current member of the uniformed services or a veteran and is receiving service-connected medical appointments or treatments;
- the employee volunteers to assist a government agency or humanitarian relief effort in response to a state of emergency in the United States;
- the employee is a victim of domestic violence, sexual assault, or stalking; or
- the employee needs to take time for parental leave, or for a pregnancy-related illness or disability.

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

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: Over the years, our Legislature has expanded the use of shared leave to cover military service, pregnancy related disability, and other extraordinary hardships. This bill adds two more qualifying circumstances when an employee is a victim of a hate crime and when an employee is going through immigration hearings for themselves or a family member. The bill protects confidentiality but allows verification when appropriate, and it does not create new entitlements, mandate leave, or increase costs. This simply allows agencies to say yes when co-workers want to share leave with their fellow colleagues. As we increasingly see more immigration proceedings we want to be able to protect our colleagues and public servants. Having shared leave available to them would be a big help. Going to immigration hearings takes time away from work and even more time if a person is put in detention.

CON: This bill will open the shared leave program to massive and multiple abuses. The language of the proposed bill creates multiple open-ended situations that could qualify for provisions, especially when it comes to immigrant enforcement actions. It is no secret that Washington State is actively working to provide sanctuary services for those who are in our nation illegally and we need to be honest about where bills like this will leave us in 15 or 20 years down the road.

Persons Testifying: PRO: Representative Osman Salahuddin, Prime Sponsor; Sheri Sawyer, Office of Financial Management; Jonathan Peebles, Union Member SEIU 925; Paula Lukaszek, state employee; Mike Yestramski, Washington Federation of State Employees.

CON: Eric Lundberg.

Persons Signed In To Testify But Not Testifying: No one.