

WSR 25-12-066  
PERMANENT RULES  
OFFICE OF  
FINANCIAL MANAGEMENT

[Filed May 30, 2025, 10:19 a.m., effective July 1, 2025]

Effective Date of Rule: July 1, 2025.

Purpose: To align the civil service rules, Title 357 WAC, with the changes stemming from the 2025-2027 tentative collective bargaining agreements for represented employees. A policy decision was made to extend this leave to nonrepresented employees provided this bereavement leave is funded in the 2025 enacted budget. The amendment to WAC 357-01-072 and 357-01-172(3) is to expand the definitions of child and family members for paid bereavement leave reasons provided in WAC 357-31-250. The amendment to WAC 357-31-130(5) is housekeeping in nature. The amendment to WAC 357-31-248 is to add loss of pregnancy if the employee uses bereavement leave as a supplemental benefit if the employee is receiving a partial wage replacement for paid family and/or medical leave. The amendment to WAC 357-31-250 is to expand the number of days employees are entitled to receive paid bereavement leave from three to five days, expand the reasons for which an employee is entitled to receive paid bereavement leave to include loss of pregnancy, and define loss of pregnancy.

Citation of Rules Affected by this Order: Amending WAC 357-01-072, 357-01-172, 357-31-130, 357-31-248, and 357-31-250.

Statutory Authority for Adoption: RCW 41.06.133.

Other Authority: RCW 41.06.133.

Adopted under notice filed as WSR 25-08-077 and 25-08-081 on April 1, 2025.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 5, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 5, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 5, Repealed 0.

Date Adopted: May 30, 2025.

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**RDS-6217.1**

AMENDATORY SECTION (Amending WSR 24-24-061, filed 11/27/24, effective 1/1/25)

**WAC 357-01-072 Child.** A biological, adopted, foster child, stepchild, legal ward, or a child of a person standing *in loco paren-*

*tis*, a child of a legal guardian, or a child of a de facto parent, regardless of age or dependency status. For the purpose of using accrued sick leave under WAC 357-31-130 and paid bereavement leave under WAC 357-31-250, child also includes a child's spouse or child's registered domestic partner.

AMENDATORY SECTION (Amending WSR 24-24-061, filed 11/27/24, effective 1/1/25)

**WAC 357-01-172 Family members.** (1) Individuals considered to be members of the family are parent, sibling, parent-in-law, spouse, registered domestic partner, grandparent, grandchild, minor/dependent child, and child.

(2) For the purpose of domestic violence, sexual assault, or stalking provisions within Title 357 WAC, in addition to subsection (1) of this section, family member also includes a domestic partner as defined in RCW 26.60.020 or a person with whom the employee has a dating relationship as defined in RCW 49.76.020.

(3) For the purpose of using accrued sick leave under WAC 357-31-130 and paid bereavement leave under WAC 357-31-250, in addition to subsection (1) of this section family member also includes any individual who regularly resides in the employee's home or where the relationship creates an expectation that the employee care for the person, and that individual depends on the employee for care. Family member does not include an individual who simply resides in the same home with no expectation that the employee cares for the individual.

## RDS-6218.2

AMENDATORY SECTION (Amending WSR 24-24-061, filed 11/27/24, effective 1/1/25)

**WAC 357-31-130 When must an employer allow an employee to use their accrued sick leave?** The employer may require medical verification or certification of the reason for sick leave use in accordance with the employer's leave policy and in compliance with chapter 296-128 WAC.

Employers **must** allow the use of accrued sick leave under the following conditions:

(1) An employee's mental or physical illness, disability, injury or health condition that has incapacitated the employee from performing required duties; to accommodate the employee's need for medical diagnosis, care or treatment of a mental or physical illness, injury or health condition; or an employee's need for preventive medical care.

(2) By reason of exposure of the employee to a contagious disease when the employee's presence at work would jeopardize the health of others.

(3) When a high-risk employee seeks an accommodation to protect themselves from the risk of exposure to an infectious or contagious

disease and the employer determines no other accommodation is reasonable besides the use of leave.

(4) To allow an employee to provide care for a child who has been exposed to a contagious disease and is required to quarantine; or when a household or family member needs additional care, not covered by subsection (6) of this section, who has been exposed to a contagious disease and is required to quarantine.

(5) When the employee's place of business has been closed by order of a public official for any health-related reason, or when an employee's child's school or place of care has been closed for such health-related reason((7)) or after the declaration of an emergency by a local or state government or agency, or by the federal government.

(6) To allow an employee to provide care for a family member with a mental or physical illness, injury or health condition; care of a family member who needs medical diagnosis, care or treatment of a mental or physical illness, injury or health condition; or care for a family member who needs preventive medical care.

(7) For family care emergencies per WAC 357-31-290, 357-31-295, 357-31-300 and 357-31-305.

(8) When an employee is required to be absent from work to care for members of the employee's household or relatives of the employee or relatives of the employee's spouse/registered domestic partner who experience an illness or injury, not including situations covered by subsection (6) of this section.

(a) The employer must approve up to five days of accumulated sick leave each occurrence. Employers may approve more than five days.

(b) For purposes of this subsection, "relatives" is limited to spouse, registered domestic partner, child, grandchild, grandparent or parent.

(9) When requested as a supplemental benefit while receiving a partial wage replacement for paid family and/or medical leave under Title 50A RCW as provided in WAC 357-31-248. Leave taken under this subsection may be subject to verification that the employee has been approved to receive benefits for paid family and/or medical leave under Title 50A RCW.

(10) If the employee or the employee's family member, as defined in chapter 357-01 WAC, is a victim of domestic violence, sexual assault or stalking as defined in RCW 49.76.020. An employer may require the request for leave under this section be supported by verification in accordance with WAC 357-31-730.

(11) In accordance with WAC 357-31-373, for an employee to be with a spouse or registered domestic partner who is a member of the armed forces of the United States, National Guard, or reserves after the military spouse or registered domestic partner has been notified of an impending call or order to active duty, before deployment, or when the military spouse or registered domestic partner is on leave from deployment.

(12) When an employee requests to use sick leave for the purpose of parental leave to bond with a newborn, adoptive or foster child for a period up to 18 weeks. Sick leave for this purpose must be taken during the first year following the child's birth or placement.

(13) If the employee requests to use sick leave when granted a temporary leave of absence for legislative service in accordance with WAC 357-31-374(2).

AMENDATORY SECTION (Amending WSR 22-24-026, filed 11/30/22, effective 1/1/23)

**WAC 357-31-248** May an employee use vacation leave, sick leave, personal holiday, compensatory time, holiday credit, recognition leave, bereavement leave, or holiday pay as a supplemental benefit during a period when the employee is receiving partial wage replacement for paid family and/or medical leave under Title 50A RCW? An employee may use vacation leave, sick leave, personal holiday, compensatory time, holiday credit, recognition leave, bereavement leave, or holiday pay during a period when the employee is receiving partial wage replacement under Title 50A RCW as a supplemental benefit. The use of bereavement leave as a supplemental benefit is limited to the death of an employee's family member (~~(or)~~), household member, or loss of pregnancy in accordance with WAC 357-31-250.

AMENDATORY SECTION (Amending WSR 22-01-022, filed 12/3/21, effective 7/1/22)

**WAC 357-31-250** Are employees entitled to paid bereavement leave?

(1) If an employee's family member or household member dies, or for loss of pregnancy, the employee is entitled to (~~three~~) five days of paid bereavement leave. An employee may request less than (~~three~~) five days of paid bereavement leave.

(2) In accordance with the employer's leave policy, the employer may require verification of the (~~family member's or household member's death~~) paid bereavement leave reasons provided in subsection (1) of this section.

(3) In addition to paid bereavement leave, the employer may approve an employee's request to use paid leave (accrued compensatory time, accrued holiday credit, sick leave, vacation leave, and/or a personal holiday) or to take leave without pay for purposes of bereavement, including loss of pregnancy.

(4) For the purpose of this section, loss of pregnancy, a qualifying pregnancy is defined as the pregnancy of the employee, including as a surrogate, or employee parent-to-be, including through surrogacy or adoption, where the employee would have been the parent.