
HOUSE BILL 2093

State of Washington 55th Legislature 1997 Regular Session

By Representatives Boldt, McMorris, Lisk, Clements and Honeyford

Read first time 02/20/97. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to achieving consistency between state and federal
2 family leave requirements; and adding a new section to chapter 49.78
3 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 49.78 RCW
6 to read as follows:

7 (1) The department shall cease to administer and enforce this
8 chapter beginning on the effective date of this section, and until the
9 earlier of the following dates:

10 (a) The effective date of the repeal of the federal family and
11 medical leave act of 1993 (Act Feb. 5, 1993, P.L. 103-3, 107 Stat. 6);
12 or

13 (b) July 1st of the year following the year in which amendments to
14 the federal family and medical leave act of 1993 (Act Feb. 5, 1993,
15 P.L. 103-3, 107 Stat. 6) take effect that provide less family leave
16 than is provided under RCW 49.78.030. In determining whether the
17 federal law provides the same or more leave, the department shall only
18 consider whether (i) the total period of leave allowed under the
19 amended federal law is twelve or more workweeks in a twenty-four month

1 period, and (ii) the types of leave authorized under the amended
2 federal law are similar to the types authorized in this chapter.

3 (2) The family leave required by U.S.C. 29.2612(a)(1)(A) and (B) of
4 the federal family and medical leave act of 1993 (Act Feb. 5, 1993,
5 P.L. 103-3, 107 Stat. 6) shall be in addition to any leave for sickness
6 or temporary disability because of pregnancy or childbirth. The
7 department shall enforce this subsection under RCW 49.78.140 through
8 49.78.190, except that an initial notice of infraction shall state that
9 the employer has thirty days in which to take corrective action. No
10 infraction or penalty may be assessed if the employer complies with the
11 requirements of the initial notice of infraction.

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