

# HOUSE BILL REPORT

## HB 2391

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**As Passed House:**  
February 16, 2--002

**Title:** An act relating to part-time leaves of absence for law enforcement members of the law enforcement officers' and fire fighters' retirement system plan 2.

**Brief Description:** Authorizing part-time leaves of absence for law enforcement members of the law enforcement officers' and fire fighters' retirement system plan 2.

**Sponsors:** By Representatives Conway, Doumit, Delvin, Morell, Linville, Talcott, Edwards, Lovick, O'Brien, Haigh, Simpson, Esser and Jackley; by request of Joint Committee on Pension Policy.

**Brief History:**

**Committee Activity:**

Appropriations: 1/24/02, 2/5/02 [DP].

**Floor Activity:**

Passed House: 2/16/02, 98-0.

**Brief Summary of Bill**

- Creates a part-time leave of absence provision for law enforcement members of the Law Enforcement Officers' and Fire Fighters' Retirement System, adding to existing unpaid leave of absence provisions.

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### HOUSE COMMITTEE ON APPROPRIATIONS

**Majority Report:** Do pass. Signed by 24 members: Representatives Sommers, Chair; Doumit, 1st Vice Chair; Fromhold, 2nd Vice Chair; Sehlin, Ranking Minority Member; Alexander, Boldt, Buck, Clements, Cody, Cox, Dunshee, Grant, Kagi, Kenney, Kessler, Linville, Lisk, McIntire, Pearson, Pflug, Ruderman, Schual-Berke, Talcott and Tokuda.

**Staff:** Andrea Hardy (786-7349).

**Background:**

The Law Enforcement Officers' and Fire Fighters' Retirement System, Plan 2 (LEOFF 2) requires that members earning service credit be full-time, fully compensated eligible

employees. The LEOFF 2 also contains provisions for employer authorized full-time unpaid leaves of absences. Under these provisions, members may purchase up to two years of service credit upon return to full service, by paying the member, employer, and state contributions to the Department of Retirement Systems (DRS) within five years of returning to service.

A member may also receive service credit for a full-time paid leave of absence if that member serves as an elected official of a labor organization and the employer is reimbursed by the labor organization for employer contributions. A member elected or appointed to a state office may choose to continue membership in LEOFF 2 even if the member does not continue in full-time status. This is the only circumstance under which a member may continue earning service credit for status other than full time.

Currently, if a member wishes to take a part-time leave of absence, the member is ineligible for LEOFF 2 membership during that period because the member is not considered a full-time, fully compensated eligible employee. Under these circumstances, the member is not permitted to earn or purchase service credit for that period.

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**Summary of Bill:**

A part-time leave of absence provision for existing law enforcement members of LEOFF 2 is added to existing leave of absence rules. The part-time leave must be authorized by the member's employer, and the member is prohibited from other employment with the employer during the part-time leave. The member may purchase service credit for the portion of time worked during the part-time leave of absence and, upon return to full-time employment, may purchase service credit for periods of part-time leave up to the existing two-year limit by paying the member, employer, and state contributions, plus interest, within five years of returning to full-time employment.

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**Appropriation:** None.

**Fiscal Note:** Available.

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

**Testimony For:** A law enforcement officer who is a member of LEOFF 2 must remain full time in order to maintain membership eligibility. Current rules require that, in order to be a member of LEOFF, a member must be full-time and fully compensated. Statutes are not clear with regard to part-time leaves of absence if a member and employer want to temporarily arrange a part-time leave of absence so that, for example, a member could work part time and care for a sick parent or child. Current rules under those circumstances would exclude the part-time member from earning or purchasing service

credit in LEOFF 2. Most employers have some sort of a job share program, and this bill would allow police officers to participate in such a program. This new flexibility would provide an option to law enforcement officers and employers to agree on a part-time job share situation so an employee could work part time and go to school, care for a sick parent or child, or take additional time off to raise a child.

**Testimony Against:** None.

**Testified:** Mike Amos, Melissa Locke, Jack Hanson, and Tara Fleetwood, Washington Council of Police and Sheriffs.