
SUBSTITUTE HOUSE BILL 2364

State of Washington

57th Legislature

2002 Regular Session

By House Committee on Commerce & Labor (originally sponsored by Representatives Dickerson, Kenney, Conway, Fisher, Rockefeller, Kagi, Cody, Darneille, Chase, Tokuda, Kirby, Edwards, Santos, Lysen, Wood, Simpson, Schual-Berke and Jarrett)

Read first time 01/31/2002. Referred to Committee on .

1 AN ACT Relating to use of employer-granted leave to care for family
2 members with serious medical conditions; amending RCW 49.12.270; and
3 adding new sections to chapter 49.12 RCW.

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

5 **Sec. 1.** RCW 49.12.270 and 1988 c 236 s 3 are each amended to read
6 as follows:

7 If, under the terms of a collective bargaining agreement or
8 employer policy that applies to an employee, the employee is entitled
9 to sick leave or other paid time off, then an employer shall allow an
10 employee to use any or all of the employee's ((accrued)) choice of sick
11 leave or other paid time off to care for a ((child of the employee
12 under the age of eighteen)) spouse, child, or parent of the employee
13 with a health condition that requires treatment or supervision. Use of
14 leave other than ((accrued)) sick leave or other paid time off to care
15 for a child, spouse, or parent under the circumstances described in
16 this section shall be governed by the terms of the appropriate
17 collective bargaining agreement or employer policy, as applicable. If
18 the appropriate collective bargaining agreement or employer policy, as
19 applicable, requires the employee to provide advance notice for

1 vacation or personal holiday time, then the employer may require the
2 employee to comply with the notice requirements of such agreement or
3 policy.

4 NEW SECTION. Sec. 2. A new section is added to chapter 49.12 RCW
5 to read as follows:

6 The definitions in this section apply throughout RCW 49.12.270
7 through 49.12.295 unless the context clearly requires otherwise.

8 (1) "Child" means a biological, adopted, or foster child, a
9 stepchild, a legal ward, or a child of a person standing in loco
10 parentis who is: (a) Under eighteen years of age; or (b) eighteen
11 years of age or older and incapable of self-care because of a mental or
12 physical disability.

13 (2) "Parent" means a biological parent of an employee or an
14 individual who stood in loco parentis to an employee when the employee
15 was a child.

16 (3) "Sick leave or other paid time off" includes time allowed under
17 the terms of an appropriate collective bargaining agreement or employer
18 policy, as applicable, to an employee for illness, vacation, and
19 personal holiday, but does not include paid time provided for jury duty
20 or military duty.

21 (4) "Spouse" means a husband or wife, as the case may be.

22 NEW SECTION. Sec. 3. A new section is added to chapter 49.12 RCW
23 to read as follows:

24 An employer shall not discharge, threaten to discharge, demote,
25 suspend, discipline, or otherwise discriminate against an employee
26 because the employee: (1) Has exercised, or attempted to exercise, any
27 right provided under RCW 49.12.270 through 49.12.295; or (2) has filed
28 a complaint, testified, or assisted in any proceeding under RCW
29 49.12.270 through 49.12.295.

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