
SUBSTITUTE SENATE BILL 6426

State of Washington 57th Legislature

2002 Regular Session

By Senate Committee on Labor, Commerce & Financial Institutions
(originally sponsored by Senators Keiser, Winsley, Prentice, Franklin,
Thibaudeau and Kohl-Welles)

READ FIRST TIME 02/04/2002.

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 An employer shall allow an employee to use the employee's
8 ~~((accrued))~~ choice of sick leave or other paid time off to care for a
9 ~~((child of the employee under the age of eighteen))~~ spouse, child,
10 parent, parent-in-law, or grandparent of the employee with a health
11 condition that requires treatment or supervision. Use of leave other
12 than ~~((accrued))~~ sick leave or other paid time off to care for a child,
13 spouse, parent, parent-in-law, or grandparent under the circumstances
14 described in this section shall be governed by the terms of the
15 appropriate collective bargaining agreement or employer policy, as
16 applicable.

17 For the purposes of this section, "sick leave or other paid time
18 off" includes time allowed to an employee for illness, vacation, and
19 personal holiday. If, under the terms of the appropriate collective

1 bargaining agreement or employer policy pertaining to the employee, the
2 employee is entitled to sick leave or other time off for his or her
3 illness, vacation, and/or personal holiday, then the employee may use
4 any or all of such time to care for another person as described in this
5 act. If the appropriate collective bargaining agreement or employer
6 policy requires the employee to provide advance notice for vacation or
7 personal holiday time, then the employee must comply with such
8 agreement or policy. "Sick leave or other paid time off" does not
9 include jury duty or military duty.

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

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

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

19 (2) "Grandparent" means a parent of a parent of an employee.

20 (3) "Parent" means a biological parent of an employee or an
21 individual who stood in loco parentis to an employee when the employee
22 was a child.

23 (4) "Parent-in-law" means a parent of the spouse of an employee.

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

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

27 An employer shall not discharge, threaten to discharge, demote,
28 suspend, discipline, or otherwise discriminate against an employee
29 because the employee: (1) Has exercised, or attempted to exercise, any
30 right provided under RCW 49.12.270 through 49.12.295; or (2) has filed
31 a complaint, testified, or assisted in any proceeding under RCW
32 49.12.270 through 49.12.295.

--- END ---