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SENATE BILL 5324

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State of Washington                      58th Legislature                      2003 Regular Session

By Senators Kohl-Welles, Roach and Thibaudeau

Read first time 01/22/2003.    Referred to Committee on Commerce & Trade.

1            AN ACT Relating to state employee leave for organ donation; and  
2 adding a new section to chapter 41.04 RCW.

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

4            NEW SECTION.    **Sec. 1.** A new section is added to chapter 41.04 RCW  
5 to read as follows:

6            (1) All executive agencies shall allow employees to take paid  
7 leave, not to exceed five days in a two-year period, as needed to  
8 participate in life-giving procedures. Such leave shall not be charged  
9 against sick leave or annual leave, and use of leave without pay is not  
10 required.

11            (2) Agencies may take into account program implementation and  
12 staffing replacement requirements in the scheduling of such leave time.  
13 Employees may be required to provide reasonable advance notice of a  
14 desire to take paid leave time.

15            (3) When planning for and granting paid leave, agencies shall take  
16 into account provisions of collective bargaining agreements that cover  
17 leave usage. Any additional leave time needed for life-giving  
18 procedures shall be subject to each agency's leave policies and  
19 collective bargaining agreements.

1 (4) Employees must provide written proof from an accredited medical  
2 institution, physician, or other medical professional that the employee  
3 participated in a life-giving procedure.

4 (5) This section does not create any entitlement or other right  
5 that may be converted to cash, other compensation, or any other  
6 benefit. It is intended only to encourage altruistic life-giving  
7 procedures, and to allow paid leave to participate in such procedures.

8 (6) Agencies may continue or implement any informal, flextime, ad  
9 hoc, or other leave.

10 (7) For purposes of this section, "life-giving procedure" means a  
11 medically supervised procedure involving the testing, sampling, or  
12 donation of organs, tissues, and other human body components for the  
13 purposes of donation, without compensation, to a person or organization  
14 for medically necessary treatments. "Life-giving procedure" does not  
15 include the donation of blood or plasma.

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