
**State Government Operations &
Accountability Committee**

2ESB 6010

Brief Description: Granting a right of return to employment to state employees who leave employment to serve as Peace Corps or humanitarian organization volunteers or on faith-based missions.

Sponsors: Senator Fairley.

Brief Summary of Second Engrossed Bill

- Extends the rights and benefits received by state employees on leaves without pay to those participating in the Peace Corps or humanitarian or faith-based missions.

Hearing Date: 2/15/06

Staff: Stephanie Toby (786-7106).

Background:

Leave without pay must be granted to state employees on or called to active military duty. Discretionary leave without pay may be granted to state employees for a number of reasons if the leave will not operate to the detriment of state service. Such reasons include:

- educational leave;
- U.S. Public Health Service and Peace Corps leave;
- leave taken to reduce the effect of an agency reduction in force;
- pre-authorized leave accommodations for the disabled; and
- formal collective bargaining leave.

Employees returning from authorized leave without pay must be employed in the same or equivalent position in the same geographical area, unless the return to state employment conflicts with rules relating to a reduction in force. Leave without pay does not affect an employee's periodic increment date.

Generally, state employees on leave without pay do not accrue vacation leave, as employees must work at least half time to qualify for vacation leave. A state employee on unpaid leave may use vacation or sick leave (leave with pay) to maintain medical benefits.

Exempt employees are at-will employees.

Summary of Bill:

All state agencies must grant leave without pay to any exempt or non-exempt full time permanent employee who requests leave to serve in the Peace Corps, a program sponsored by a humanitarian organization, or a faith-based mission. Upon return from such service, the employee must be returned to his or her previous position or an equivalent position without loss of seniority. Additionally, the employee cannot be dismissed without cause from his or her position for one year after his or her return to state service.

During the employee's leave, the rules and practices relating to leave without pay that exist at the time the leave was granted shall govern the employee's participation in the benefits offered by the employer.

2nd Engrossed Substitute Bill Compared to Bill as Amended by House:

The phrase "employee who requests such leave for purposes of service" is changed to "employee who requests such leave to serve." The remainder of the sentence is fixed to grammatically agree with the change.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.