
SENATE BILL 6059

State of Washington

59th Legislature

2005 Regular Session

By Senators Berkey, Haugen, McAuliffe, Franklin, Rockefeller, Schoesler, Eide, Weinstein, Rasmussen, Shin, Delvin, Mulliken, Oke, Parlette and Kohl-Welles

Read first time 02/28/2005. Referred to Committee on Labor, Commerce, Research & Development.

1 AN ACT Relating to sick leave pools for state employees; and adding
2 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 Each department or agency of the state may adopt rules governing
7 the accumulation and use of sick leave for employees, expressly for the
8 establishment of a plan allowing participating employees to pool sick
9 leave and allowing any sick leave thus pooled to be used by any
10 participating employee who has used all of the sick leave that has been
11 personally accrued by him or her. Rules adopted by a department or
12 agency shall provide:

13 (1) That employees are eligible for participation in the sick leave
14 pool after one year of employment with the state or agency of the state
15 if the employee has accrued a minimum amount of unused sick leave, to
16 be established by rule;

17 (2) That participation in the sick leave pool shall, at all times,
18 be voluntary on the part of the employees;

- 1 (3) That any sick leave pooled shall be removed from the personally
2 accumulated sick leave balance of the employee contributing the leave;
- 3 (4) That any sick leave in the pool that is used by a participating
4 employee may be used only for the employee's personal illness,
5 accident, or injury;
- 6 (5) That a participating employee is not eligible to use sick leave
7 accumulated in the pool until all of his or her personally accrued
8 sick, annual, and compensatory leave has been used;
- 9 (6) A maximum number of days of sick leave in the pool that any one
10 employee may use;
- 11 (7) That a participating employee who uses sick leave from the pool
12 is not required to recontribute such sick leave to the pool, except as
13 otherwise provided in this section;
- 14 (8) That an employee who cancels his or her membership in the sick
15 leave pool is not eligible to withdraw the days of sick leave
16 contributed by that employee to the pool;
- 17 (9) That an employee who transfers from one position in state
18 government to another position in state government may transfer from
19 one pool to another if the eligibility criteria of the pools are
20 comparable and the administrators of the pools have agreed on a formula
21 for transfer of credits;
- 22 (10) That alleged abuse of the use of the sick leave pool shall be
23 investigated, and, on a finding of wrongdoing, the employee shall repay
24 all of the sick leave credits drawn from the sick leave pool and shall
25 be subject to such other disciplinary action as is determined by the
26 agency head;
- 27 (11) That sick leave credits may be drawn from the sick leave pool
28 by a part-time employee on a pro rata basis; and
- 29 (12) That each department or agency shall maintain accurate and
30 reliable records showing the amount of sick leave which has been
31 accumulated and is unused by employees, in accordance with guidelines
32 established by the department of personnel.

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