

# HOUSE BILL REPORT

## HB 1759

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**As Passed House:**

February 28, 2007

**Title:** An act relating to shared leave for declared emergencies.

**Brief Description:** Authorizing shared leave for declared emergencies.

**Sponsors:** By Representatives McIntire, Hunt, Kessler, Upthegrove, Darneille, Moeller, Kenney, Hasegawa, Simpson, Ormsby and Morrell.

**Brief History:**

**Committee Activity:**

State Government & Tribal Affairs: 2/16/07, 2/20/07 [DP].

**Floor Activity:**

Passed House: 2/28/07, 97-0.

**Brief Summary of Bill**

- Authorizes shared leave for state employees who have been called to respond to state or federally declared emergencies.

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**HOUSE COMMITTEE ON STATE GOVERNMENT & TRIBAL AFFAIRS**

**Majority Report:** Do pass. Signed by 9 members: Representatives Hunt, Chair; Appleton, Vice Chair; Chandler, Ranking Minority Member; Armstrong, Assistant Ranking Minority Member; Green, Kretz, McDermott, Miloscia and Ormsby.

**Staff:** Colleen Kerr (786-7168).

**Background:**

Washington law allows the directors of state agencies to permit shared leave for employees who:

- are suffering from an illness, injury, impairment or physical or mental condition of an extraordinary or severe nature;
- have a relative or household member who is suffering from an illness, injury, impairment or physical or mental condition of an extraordinary or severe nature; or

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- have been called to military service.

To receive shared leave, there must be a likelihood of the employee facing leave without pay status or being forced to terminate state employment. The employee must also have depleted or be close to depleting his or her annual and sick leave reserves and have used that leave according to agency rules. The agency determines the amount of shared leave the employee may receive. This amount may not exceed 261 days of leave. The value of the transferred leave is based on the person receiving the leave.

Employees may transfer annual leave, sick leave, and personal holidays for the purposes of shared leave provided the transferring employee has enough accrued leave so that his or her annual leave account remains above 10 days, and will retain a minimum of 176 hours of sick leave. For employees in higher education who do not accrue annual leave, those employees may donate sick leave so long as their account remains above 22 days.

Employees benefitting from shared leave retain state employee classification and receive the same treatment with respect to salary, wages, and employee benefits.

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### **Summary of Bill:**

Agency heads may authorize an employee to receive shared leave for state or federally declared emergencies anywhere in the United States when the emergency volunteer service would cause the employee to take leave without pay or to terminate state employment, and the employee has depleted, or will shortly deplete, his or her annual and sick leave reserves.

Qualifying employees must have skills necessary for the humanitarian relief organized, and have been accepted as a volunteer by either a governmental or nonprofit organization engaged in that effort.

Employees who have been permitted to use shared leave for a declared emergency are subjected to the same requirements and benefits as those receiving shared leave due to personal or household illness, or who have been called to military service.

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**Appropriation:** None.

**Fiscal Note:** Available.

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

### **Staff Summary of Public Testimony:**

(In support) This bill evolved when the sponsor learned that state employees were unable to donate leave or to take shared leave to assist in the Katrina disaster. In that time of national crisis, volunteers were needed from every state and it was unfortunate that Washington did

not have provisions in place to assist its state employees who were qualified to help in recovery to be able to access extra leave or to allow employees to donate to leave to one another for that purpose.

(Opposed) None.

**Persons Testifying:** (In support) Representative McIntire, prime sponsor.

**Persons Signed In To Testify But Not Testifying:** None.