

HOUSE BILL REPORT

HB 2946

As Reported by House Committee On:
State Government & Tribal Affairs

Title: An act relating to leave sharing for victims of domestic violence, sexual assault, and stalking.

Brief Description: Authorizing leave sharing for victims of domestic violence, sexual assault, and stalking.

Sponsors: Representatives Dickerson, Priest, Kagi, Walsh, Lias, Sullivan, Roberts, Linville, Campbell, Simpson, Upthegrove, Schual-Berke, Hurst, Darneille, Hasegawa, Kessler, Hudgins and Ormsby; by request of Attorney General.

Brief History:

Committee Activity:

State Government & Tribal Affairs: 2/1/08 [DPS].

Brief Summary of Substitute Bill

- Allows victims of domestic violence, sexual assault, or stalking to participate in the state leave-sharing program.

HOUSE COMMITTEE ON STATE GOVERNMENT & TRIBAL AFFAIRS

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 8 members: Representatives Hunt, Chair; Appleton, Vice Chair; Chandler, Ranking Minority Member; Armstrong, Assistant Ranking Minority Member; Kretz, Lias, Miloscia and Ormsby.

Staff: Colleen Kerr (786-7168).

Background:

Employees may donate accrued leave to a fellow state employee who is suffering from or has a relative or household member suffering from an extraordinary or severe illness or impairment which may cause the employee to take leave without pay or terminate employment.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Summary of Substitute Bill:

Victims of domestic violence may participate in the state leave-sharing program.

For purposes of this section, "domestic violence" means:

- physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury, or assault between family or household members as defined by statute;
- sexual assault of one family or household member by another family or household member; or
- stalking of one family or household member by another family or household member.

"Victim" means a person against whom domestic violence, sexual assault, or stalking has been committed as defined above.

Substitute Bill Compared to Original Bill:

Moves the effective date to October 1, 2008.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date of Substitute Bill: The bill takes effect on October 1, 2008.

Staff Summary of Public Testimony:

(In support) Domestic violence poses a real threat for some individuals who are state employees. They should not have to choose between their safety and their continued employment with the state. The bill was developed by the Human Resources Division at the Office of the Attorney General to support state employees. This provides human resource managers with a tool when an employee self-declares that he or she is the victim of domestic violence. As it stands, managers have no way to accommodate an employee who is the victim of domestic violence and who is assisting in the criminal proceedings and investigation.

The bill provides an economic cushion for victims of domestic violence who are state employees. To support the criminal investigation, victims need to be able to do depositions, participate at trial, assist in investigations, and address the court at sentencing. This requires a tremendous amount of time away from work. If the victim cannot participate, very often the charge has to be reduced. Victim participation is an important way of breaking the cycle of violence, especially if it is coupled with the employee being able to stay in his or her job and maintain some stability.

Under the bill, only the victim can take the leave, he or she must also have used all of their annual leave, have had no previous abuses of leave, and the need for leave must be directly related to the domestic violence.

(Opposed) None.

Persons Testifying: Representative Dickerson, prime sponsor; Chris Johnson and Mickey Newberry, Attorney General's Office; Keith Galbraith, Family Renewal Shelter; Jim Ferrell, King County Prosecutor's Office; Alia Griffing, Washington State Federation of State Employees; Christy Peters, Thurston County Prosecutor's Office; and Ann-Marie Dvorak, City of Lakewood.

Persons Signed In To Testify But Not Testifying: None.