

SENATE BILL REPORT

SB 5173

As of March 18, 2013

Title: An act relating to excusing work and school absences for a reason of faith or conscience.

Brief Description: Excusing work and school absences for a reason of faith or conscience.

Sponsors: Senators Hasegawa, Kline, Frockt and Chase.

Brief History:

Committee Activity: Commerce & Labor: 3/18/13.

SENATE COMMITTEE ON COMMERCE & LABOR

Staff: Edith Rice (786-7444)

Background: The following is a list of current legal state holidays: Sunday, New Year's Day, Martin Luther King Jr. Day, President's Day, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving and the day following, and Christmas. State employees are entitled to one paid holiday per calendar year in addition to these legal holidays. State employees can select the day to take this additional paid holiday after consultation with their employer.

Children must attend public school between the ages of eight and up to 18 with some exceptions. Some of these exceptions include the following: the child is attending a private school, the child is being home-schooled, the child is attending an education center, the child is 16 years of age and is employed, or the child has met graduation requirements. Parents can request that a child be temporarily excused from school for purposes agreed upon by the school authorities and the parent, provided that the absences do not cause serious adverse effect upon the student's educational progress. Students excused for these temporary, agreed upon absences can be claimed as full-time equivalent students to the extent they would otherwise have been claimed, for the purposes of annual basic education allocation compliance, basic education minimum instructional requirements, and enrollment calculations.

Summary of Bill: In addition to the one paid holiday per calendar year that state employees can take after consulting with the employer, state employees are entitled to take two unpaid holidays per year. If the employee prefers to take the additional holidays on specific days to comply with their faith or conscience, the employer must allow them to do so.

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.

Students are excused from school subject to parental approval, for reasons of faith or conscience for up to two days without penalty. Such students excused for these temporary absences may still be claimed as full-time equivalent students. This will not affect school district compliance with basic education minimum instructional requirements, with annual basic education allocation requirements, or enrollment calculations.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: We should accommodate differing religious communities to allow them to recognize their religious holidays. This would allow people to celebrate religious holidays when they do not align with the currently recognized holidays. We should accommodate faith communities of all faiths. It is important as a member of the Muslim community for me to be able to celebrate religious holidays with family. I have left employment because I was not able to do so. Not all holidays are based on the Gregorian or western calendar. Some are based on the lunar calendar. Some employees are forced to use vacation leave or sick leave. This is an issue of common concern for a variety of religions. Religious freedom should permit us to recognize differing religious holidays. Some of these holidays often fall on weekdays and interrupt work or school attendance. This will protect students and help educate others about differences.

Persons Testifying: PRO: Senator Hasegawa, prime sponsor; Zaynab Farole, Faisa Farole, Nancy Sapiro, Jewish Federation: Rabbi Seth Goldstein, Temple Both Hatfiloh.