

# HOUSE BILL REPORT

## SHB 1521

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### As Passed Legislature

**Title:** An act relating to removing the requirement that an employee must work at least six months before taking vacation leave.

**Brief Description:** Addressing vacation leave.

**Sponsors:** House Committee on State Govt, Elections & IT (originally sponsored by Representatives Dolan, Doglio, Ormsby, Appleton, Bergquist and Pollet; by request of Office of Financial Management).

#### **Brief History:**

##### **Committee Activity:**

State Government, Elections & Information Technology: 2/7/17, 2/8/17 [DPS];  
Appropriations: 2/20/17, 2/21/17 [DPS(SEIT)].

##### **Floor Activity:**

Passed House: 3/1/17, 65-33.

Passed Senate: 4/12/17, 44-5.

Passed Legislature.

#### **Brief Summary of Substitute Bill**

- Specifies that six months of continuous employment are not required for a state employee to take vacation leave, but are required for a state employee to be paid for vacation leave upon termination.
- Provides for vacation leave in hours instead of working days.

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### HOUSE COMMITTEE ON STATE GOVERNMENT, ELECTIONS & INFORMATION TECHNOLOGY

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 9 members: Representatives Hudgins, Chair; Dolan, Vice Chair; Koster, Ranking Minority Member; Volz, Assistant Ranking Minority Member; Appleton, Gregerson, Irwin, Kraft and Pellicciotti.

**Staff:** Megan Palchak (786-7105).

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*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.*

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## HOUSE COMMITTEE ON APPROPRIATIONS

**Majority Report:** The substitute bill by Committee on State Government, Elections & Information Technology be substituted therefor and the substitute bill do pass. Signed by 19 members: Representatives Ormsby, Chair; Robinson, Vice Chair; MacEwen, Assistant Ranking Minority Member; Bergquist, Cody, Fitzgibbon, Hansen, Hudgins, Jinkins, Kagi, Lytton, Pettigrew, Pollet, Sawyer, Senn, Springer, Stanford, Sullivan and Tharinger.

**Minority Report:** Do not pass. Signed by 13 members: Representatives Chandler, Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Buys, Caldier, Condotta, Haler, Harris, Nealey, Schmick, Taylor, Vick, Volz and Wilcox.

**Minority Report:** Without recommendation. Signed by 1 member: Representative Manweller.

**Staff:** David Pringle (786-7310).

### **Background:**

After six months of continuous employment, state employees are entitled to take not less than one working day of paid vacation leave each month. They are also entitled to not less than one additional working day of paid vacation leave each year for completing the first two, three, and five continuous years of employment.

State employees may accrue up to 30 working days of unused vacation leave. Unused vacation leave may exceed 30 working days in two circumstances. One circumstance arises when an employer defers a request for leave. The other arises when excess days are accumulated before the employee's anniversary date.

State employees whose employment is terminated by death, reduction in force, resignation, dismissal, or retirement, and who have accrued vacation leave, are paid for such leave.

### **Summary of Substitute Bill:**

Six months of continuous employment is not required for state employees to be entitled to take vacation leave. However, six months of continuous employment is required for state employees whose employment is terminated to be paid for accrued leave.

Vacation leave is measured in hours rather than working days. For example, references to "one working day" of leave are replaced with "eight hours" of vacation leave. Similarly, references to "thirty days" of vacation leave are replaced with "240 hours" of vacation leave.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill contains an emergency clause and takes effect on July 1, 2017.

**Staff Summary of Public Testimony (State Government, Elections & Information Technology):**

(In support) Amended language is needed regarding leave upon termination to resolve fiscal impact.

(Opposed) None.

**Staff Summary of Public Testimony (Appropriations):**

(In support) This bill was amended in the policy committee to restore the six months of service requirement in order to cash out leave and reduce the cost of the bill. The changes to these leave statutes will make employment with the state more attractive to prospective employees. The state employee collective bargaining agreements contain provisions that will not go into effect unless the changes in this bill are enacted. Labor and employer representatives worked together to come up with this solution to problems in the workplace.

(Opposed) None.

**Persons Testifying (State Government, Elections & Information Technology):** Representative Dolan, prime sponsor; Scott Merriman, Office of Financial Management; and Dennis Eagle, Washington Association of State Employees.

**Persons Testifying (Appropriations):** Scott Merriman, Office of Financial Management; and Matt Zuvich, Washington Federation of State Employees.

**Persons Signed In To Testify But Not Testifying (State Government, Elections & Information Technology):** None.

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