

FINAL BILL REPORT

HB 2851

C 99 L 18
Synopsis as Enacted

Brief Description: Clarifying the calculation of military leave for officers and employees that work shifts spanning more than one calendar day.

Sponsors: Representatives Reeves, Rodne, Peterson, McCaslin and Haler.

House Committee on Community Development, Housing & Tribal Affairs
Senate Committee on State Government, Tribal Relations & Elections

Background:

An employee of the state, or its political subdivisions, who is a member of the National Guard or a member of a branch of the United States Armed Forces, is entitled to military leave from his or her employment for up to 21 days during each year, defined as beginning on October 1 and ending the following September 30. This military leave is in addition to any vacation or sick leave accrued by the employee.

An employee is charged military leave only for the days that he or she is scheduled to work for the state or other political subdivision. There is no statutory definition of day in the context of calculating military leave, and the common law definition of a day as being a period of time from one midnight to the next has been applied to this calculation.

For employees that are scheduled to work nontraditional shifts, such as 24-hour shifts, the common law definition of a day has required such employees to be charged two days of military leave since such shifts occur over two separate calendar days.

Summary:

When an employee requests military leave to cover days for which he or she is scheduled to work, if the employee is scheduled to work a shift that extends into a subsequent calendar day, the employee is charged military leave for only the first calendar day of the shift. If the shift extends into later subsequent days, the employee is charged military leave for each calendar day of the shift except the calendar day on which the shift finally ends.

Votes on Final Passage:

House 98 0

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.

Senate 49 0

Effective: June 7, 2018