

SENATE BILL REPORT

E2SHB 1802

As of March 17, 2017

Title: An act relating to increasing the access of veterans, military service members, and military spouses to shared leave in state employment.

Brief Description: Increasing the access of veterans, military service members, and military spouses to shared leave in state employment.

Sponsors: House Committee on Appropriations (originally sponsored by Representatives Reeves, Springer, Kilduff, Farrell, Appleton, Stonier, Stanford, Kloba, Frame, Ryu, Tharinger, Pellicciotti, Macri, Chapman, Fitzgibbon, Jenkins, Orwall, Doglio, Lovick, Riccelli, Peterson, Gregerson, Blake, Ortiz-Self, Ormsby, Bergquist, Fey and Pollet).

Brief History: Passed House: 3/02/17, 98-0.

Committee Activity: State Government: 3/17/17.

Brief Summary of Bill

- Allows certain state employees to access shared leave for attending medical appointments or treatments for a service-connected disability.
- Creates the Veterans' In-State Service Shared Leave Pool (Pool).
- Allows state employees who are current members of the uniformed services, veterans, or their spouses who are caring for them, to access shared leave from the Pool.

SENATE COMMITTEE ON STATE GOVERNMENT

Staff: Melissa Van Gorkom (786-7491)

Background: Shared Leave Program. In 1989, the Legislature enacted the Washington State Leave Sharing Program (Program) for state employees. The stated purpose of the Program is to permit state employees to donate annual leave, sick leave, or personal holidays to fellow state employees who are suffering from, or have relatives or household members who are suffering from, an extraordinary or severe illness, injury, impairment, or physical or mental condition that has caused or is likely to cause the employee to take leave without pay or terminate their 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.

The agency head determines the amount of leave, if any, an employee may receive under this section; however, an employee may not receive a total of more than 522 days of leave unless extraordinary circumstances apply.

Uniformed Services. Uniformed Services means the Armed Forces, the Army National Guard, and the Air National Guard of any state, territory, commonwealth, possession, or district when engaged in active duty for training, inactive duty training, full-time National Guard duty, or state active duty, the Commissioned Corps of the Public Health Service, the Coast Guard, and any other category of persons designated by the President of the United States in a time of war or national emergency.

Veteran. Veteran means any person who, at the time he or she seeks certain benefits, has received an honorable discharge, is actively serving honorably, or has received a discharge for physical reasons with an honorable record and who: has served between World War I and World War II or during any period of war; or received the Armed Forces Expeditionary Medal, or Marine Corps and Navy Expeditionary Medal, for opposed action on foreign soil.

Summary of Bill: Shared Leave Program. Agency heads may permit an employee to receive shared leave under the Program if the employee is a:

- current member of the uniformed services or a veteran, and is attending medical appointments or treatments for a service-related injury or disability; or
- spouse of a current uniformed service member or veteran, who is attending medical appointments or treatments for a service-connected injury or disability and requires assistance while attending an appointment or treatment.

Agency heads must allow employees who are veterans and their spouses to access shared leave from the Veterans' In-State Service Shared Leave Pool (Pool) on employment.

Pool. The Pool is created and administered by the Washington Department of Veterans Affairs (WDVA). The Pool allows state employees to donate leave to be used as shared leave for a state employee that is a current member of the uniformed services, veteran employees or their spouses caring for them. All employees who donate to the Pool must specify their intent to donate to the Pool.

Leave may not be granted from the Pool unless the Pool has a sufficient balance to fund the requested leave period and the employee has met the qualifications of the leave sharing program. If granted, shared leave paid under the Pool, in combination with the employee's salary, may not exceed the level of the employee's state monthly salary. Monthly salary includes monthly salary and special pay, and shift differential, or the equivalent for hourly employees. It does not include overtime pay, call-back pay, standby pay, or performance bonuses.

The Office of Financial Management must consult with the WDVA in its adoption of rules and policies governing the donation and use of shared leave from the Pool.

Null and Void. If funding is not provided by June 30, 2017, this act is null and void.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

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

Staff Summary of Public Testimony: PRO: We want to keep veterans and their spouses working in the state of Washington and make sure that the state is not just veteran friendly but veteran ready. The bill makes sure that these employees can still access their VA medical appointments or have their spouse assist in transportation to those appointments without having to take unpaid leave to get there.

Persons Testifying: PRO: Representative Kristine Reeves, Prime Sponsor; Deryl McCarty, Veterans Legislative Coalition (VLC).

Persons Signed In To Testify But Not Testifying: No one.