

---

HOUSE BILL 2133

---

State of Washington

61st Legislature

2009 Regular Session

By Representatives White, Hunt, Kenney, Maxwell, Upthegrove, Hudgins, Rolfes, and Wood

Read first time 02/11/09. Referred to Committee on Ways & Means.

1 AN ACT Relating to the use of accumulated sick leave for volunteer  
2 work; adding a new section to chapter 41.04 RCW; and creating a new  
3 section.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** The legislature finds that community service  
6 is an important and vital civic responsibility. Particularly during  
7 times of economic hardship, volunteerism can help alleviate the unmet  
8 needs of citizens and communities. The legislature further finds that  
9 fostering community service in state employees will not only help  
10 communities, but also will build skills, provide experiences and  
11 opportunities, and further educate the state workforce.

12 NEW SECTION. **Sec. 2.** A new section is added to chapter 41.04 RCW  
13 to read as follows:

14 (1)(a) An agency head shall permit an employee to use up to twenty-  
15 four hours of sick leave per year to perform volunteer services as  
16 provided in this subsection.

17 (b) Volunteer service may be performed at a school that the

1 employee's child attends or at a nonsectarian organization exempt from  
2 tax under section 501(c)(3) of the internal revenue code.

3 (c) The employee may use up to four hours per month of sick leave,  
4 with a total of up to twenty-four hours per year, to perform volunteer  
5 service under this section.

6 (d) An employee may take time off work as sick leave under this  
7 section equivalent to the time the employee spends performing volunteer  
8 service at a time other than the employee's normal shift.

9 (e) Sick leave hours used under this section may not be included in  
10 the number of hours worked per week for purposes of determining any  
11 overtime hours worked.

12 (f) In order to avoid using sick leave, an employee may make up  
13 time other than during the employee's normal shift to offset volunteer  
14 service performed under this section.

15 (2)(a) An employee requesting to use sick leave under this section  
16 shall submit a request as provided under subsection (6) of this section  
17 to the employee's agency head, or the agency head's designee,  
18 specifying the name of the school or organization and the nature of the  
19 volunteer services to be performed.

20 (b) The employee's agency must receive verification from a person  
21 at the school or organization where the employee volunteered that the  
22 employee performed the volunteer service.

23 (c) All records of sick leave used for the purpose authorized in  
24 this section shall be maintained in the employee's personnel file.

25 (3) To qualify to use sick leave in accordance with subsection (1)  
26 of this section, an employee must retain one hundred seventy-six hours  
27 of sick leave.

28 (4) An employee of an institution of higher education as defined in  
29 RCW 28B.10.016, school district, or educational service district who  
30 does not accrue annual leave but does accrue sick leave and who has an  
31 accrued sick leave balance of more than twenty-two days may request  
32 using sick leave to perform volunteer services in accordance with this  
33 section. In no event may such an employee be permitted to use sick  
34 leave as provided for in this section if it would result in his or her  
35 sick leave account going below twenty-two days. Under this subsection,  
36 "sick leave" also includes leave accrued pursuant to RCW 28A.400.300(2)  
37 or 28A.310.240(1) with compensation for illness, injury, and  
38 emergencies.

1           (5) An employee may not used sick leave to perform volunteer  
2 service that is required under a court order.

3           (6) Within available funds, the department of personnel shall adopt  
4 rules to implement this section, including developing a process to  
5 request approval to use sick leave for the purposes of this section and  
6 to obtain verification from a person at the school or organization that  
7 the employee volunteered as stated. For the purpose of verifying the  
8 volunteer service of an employee, electronic communication received  
9 directly from the school or organization that the employee volunteered  
10 as stated is an acceptable form of verification.

11           (7)(a) The definitions in RCW 41.04.655 apply to this section.

12           (b) As used in this section, "sick leave" means leave granted to an  
13 employee for the purpose of absence from work with pay in the event of  
14 illness or injury, or both.

--- END ---