

# HOUSE BILL REPORT

## HB 2557

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### As Passed Legislature

**Title:** An act relating to the return of unused shared leave.

**Brief Description:** Addressing the return of unused shared leave.

**Sponsors:** Representatives S. Hunt and Reykdal.

#### **Brief History:**

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

State Government: 1/28/16, 2/2/16 [DP].

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

Passed House: 2/11/16, 96-0.

Passed Senate: 3/1/16, 48-0.

Passed Legislature.

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

- Allows unused shared leave to be returned if an employee is released to full-time employment, has not received medical treatment for a qualifying condition for at least six months, and the employee's doctor has declined the employee's request for a statement indicating the employee's condition has been resolved.
- Requires an agency head to approve a new shared leave request when an employee who has a closed shared leave account subsequently needs to use shared leave due to the same condition.

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### HOUSE COMMITTEE ON STATE GOVERNMENT

**Majority Report:** Do pass. Signed by 7 members: Representatives S. Hunt, Chair; Bergquist, Vice Chair; Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Frame, Hawkins and Moscoso.

**Staff:** Dawn Eychaner (786-7135).

#### **Background:**

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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.*

In 1989 the Legislature established a leave-sharing program for state and school district employees. The leave-sharing program allows employees who have exhausted their accrued sick, annual, and/or military leave to use additional paid leave donated by their colleagues under certain qualifying circumstances.

An employee may benefit from the leave-sharing program if he or she suffers from personal illness or injury; is caring for a sick or injured family or household member; is the victim of domestic violence, sexual assault or stalking; has been called into military service; or is responding in service to a devastated area in a declared emergency or aftermath. In order to qualify for the leave program, one of these circumstances must have caused or is likely to cause the employee to go on leave-without-pay status or to terminate employment.

The amount of shared leave an employee may receive is determined by the agency head and may not exceed the requested amount, up to a maximum of 522 days unless extraordinary circumstances apply.

If donated leave is unused and is no longer needed by the employee, the unused leave will be returned to the donor. In order to return unused leave, the agency head must determine that the leave is no longer needed or will not be needed in the future in connection to the original or any other qualifying condition. Before making a determination to return unused leave donated due to an illness or injury, the agency head must receive a statement from the affected employee's doctor verifying that the illness or injury is resolved.

**Summary of Bill:**

Unused shared leave may not be returned until:

- the agency head receives a statement from the employee's doctor that the illness or injury is resolved; or
- the employee is released to full-time employment, has not received medical treatment for a qualifying condition for at least six months, and the employee's doctor has declined the employee's request for a statement indicating the employee's condition has been resolved.

If an employee has a closed shared-leave account and subsequently needs to use shared leave due to the same condition, the agency head must approve a new shared-leave request for the employee.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

**Staff Summary of Public Testimony:**

(In support) This provides a good mechanism for returning unused shared leave and for an employee to use shared leave again if there is a recurrence of an illness or injury.

(Opposed) None.

**Persons Testifying:** Representative S. Hunt, prime sponsor.

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