

# HOUSE BILL REPORT

## HB 1381

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### As Reported By House Committee On:

Government Operations  
Appropriations

**Title:** An act relating to shared leave.

**Brief Description:** Sharing leave and personal holiday time.

**Sponsors:** Representatives Dyer, Brumsickle, Patterson, Campbell, Brown, Hankins, Chopp, Schoesler, Romero, Chandler, Robertson, Mitchell, G. Fisher, Sheahan, Poulsen, Thibaudeau, Sommers, Kessler, Mielke, Honeyford, Kremen, Wolfe, Boldt and Conway.

### Brief History:

#### Committee Activity:

Government Operations: 1/30/95, 2/8/95 [DPS];

Appropriations: 2/28/95, 3/2/95 [DP2S(w/o sub GOVT)].

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## HOUSE COMMITTEE ON GOVERNMENT OPERATIONS

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 14 members: Representatives Reams, Chairman; Goldsmith, Vice Chairman; L. Thomas, Vice Chairman; Rust, Ranking Minority Member; Scott, Assistant Ranking Minority Member; Chopp; R. Fisher; Honeyford; Hymes; Mulliken; D. Schmidt; Sommers; Van Luven and Wolfe.

**Staff:** Steve Lundin (786-7127).

### Background:

#### 1. Original shared leave program.

The Washington State leave-sharing program was established in 1989 for state employees, including employees of school districts, education service districts, and institutions of higher education.

Under this program, an employee may transfer a portion of his or her accrued **annual leave** to another employee who either suffers from, or has a relative or household member suffering from, illness, impairment or conditions that are of an extraordinary

or severe nature and which either has caused, or is likely to cause, the employee to go on leave without pay status or terminate state employment.

An employee may only transfer annual leave if, after the transfer, the transferring employee retains at least 10 days of annual leave.

The transfer of leave may be made to another employee in the same agency, or with the approval of the heads of both agencies, to an employee of another state agency. Provisions are made for the transfer of moneys between agencies to take cognizance of the transfers. However, transfers of leave to or from an employee of a school district or education service district are only allowed with other employees of the same school district or education service district.

## 2. 1990 changes.

In 1990, the Washington State shared-leave program was altered so that an employee of a community college, school district, or education service district who does not accrue annual leave may transfer **sick leave** to another employee under the same conditions that state employees are authorized to transfer accrued annual leave. Such an employee of a community college may transfer sick leave to any state employee who is eligible to receive leave transfers, but an employee of a school district or education service district may only transfer sick leave to another employee of the same school district or education service district.

An employee may only transfer sick leave if, after the transfer, the employee retains at least 60 days of sick leave.

**Summary of Substitute Bill:** The shared-leave program is altered to allow a state employee to transfer unused sick leave to another state employee, if after the transfer, the employee retains at least 480 hours of unused sick leave, and to allow a state employee to transfer his or her personal holiday as shared leave.

Employees of institutions of higher education, who do not accumulate annual leave, are authorized to transfer sick leave to other employees of the same institution on the same basis as employees of community colleges who do not accumulate annual leave.

**Substitute Bill Compared to Original Bill:** It is clarified that an employee who uses leave transferred under this program may not be required to repay the value of the leave that was so used. It is clarified that annual leave is not accumulated for purposes of this program if the employee receives compensation for the annual leave rather than accumulating the annual leave.

**Appropriation:** None.

**Fiscal Note:** Available.

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

**Testimony For:** This will help people. Private industry does this. I would be more willing to transfer sick leave than annual leave.

**Testimony Against:** None if changes made.

**Testified:** (pro): Bev Hermanson, Washington Federation of State Employees; Marcus Johns, Washington Public Employees Association; Bob Fisher, Washington Education Association; and Lynn McKinnon, Public School Employees.

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## HOUSE COMMITTEE ON APPROPRIATIONS

**Majority Report:** The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Government Operations. Signed by 27 members: Representatives Silver, Chairman; Clements, Vice Chairman; Huff, Vice Chairman; Pelesky, Vice Chairman; Sommers, Ranking Minority Member; Valle, Assistant Ranking Minority Member; Basich; Brumsickle; Carlson; Chappell; Cooke; Dellwo; Foreman; Grant; Hickel; Jacobsen; Lambert; Lisk; McMorris; Poulsen; Reams; Rust; Sehlin; Sheahan; Talcott; Thibaudeau and Wolfe.

**Minority Report:** Do not pass. Signed by 3 members: Representatives Beeksma; Crouse and Hargrove.

**Staff:** Jennifer Priddy (786-7118).

**Summary of Recommendation of Committee on Appropriations Compared to Recommendation of Committee on Government Operations:** The amount of sick leave an employee may transfer during any 12 month period is limited to six days. Retroactive transfer of sick leave is permitted for periods of leave taken between January 1, 1995, and the effective date of this act.

**Appropriation:** None.

**Fiscal Note:** Available.

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

**Testimony For:** The bill would permit employees to share sick leave and retain annual leave for their own vacation. Enhances quality of work environment: employees can utilize annual leave for vacation, and share sick leave in cases where another employee is experiencing hardship.

**Testimony Against:** The bill will have a significant fiscal impact, as the number of employees transferring leave will increase. The amount of leave an employee can transfer should be limited in order to limit costs.

**Testified:** Bev Hermanson, Washington Federation of State Employees (pro); Bob Fisher, Washington Education Association (pro); and Larry Lael, State Board for Community and Technical Colleges (reservations).