

1 B. Care of family members as required by the State Family Care Act, [RCW](#)
2 [49.12](#), and Family Care Rules, WAC 296-130 and for the purposes and
3 family members as defined by [RCW 49.46](#), the Minimum Wage
4 Requirements and Labor Standards, [49.46.210](#), family members to include
5 a:

6 1. Child, including a biological, adopted, or foster child, stepchild, [a](#)
7 [child's spouse](#) or a child to whom the employee stands in loco
8 parentis, is a legal guardian, or is a de facto parent, regardless of age
9 or dependency status;

10 2. [Parent, including a B](#)biological, adoptive, de facto, or foster parent,
11 stepparent, or legal guardian of an employee or the employee's
12 spouse or registered domestic partner, or a person who stood in loco
13 parentis when the employee was a minor child;

14 3. Spouse;

15 4. Registered domestic partner, as defined by [RCW 26.60](#);

16 5. Grandparent; [means a parent of the employee's parent](#)

17 6. Grandchild; [means a child of the employee's child](#)

18 7. Sibling; ~~or~~

19 [8. Any individual who regularly resides in the employee's home, or](#)
20 [where the relationship creates an expectation that the employee care](#)
21 [for the person, and the individual depends on the employee for care.](#)
22 ["Family member" includes any individual who regularly resides in](#)
23 [the employee's home except that it does not include an individual](#)
24 [who simply resides in the same home with no expectation that the](#)
25 [employee care for the individual; or](#)

26 [9.8.](#) Other category as provided by [RCW 49.46.210](#).

1 C. A death of any relative or household member that requires the employee's
2 absence from work. Relatives are defined for this purpose as spouse,
3 domestic partner, significant other, legal ward, child, grandchild, great-
4 grandchild, foster child, child-in-law, grandparent, great-grandparent,
5 parent, sibling, sibling of one's parent, child of one's sibling, first cousin,
6 sibling-in-law and corresponding relatives of employee's spouse, domestic
7 partner or significant other.

8 D. Childcare emergencies after the employee has exhausted all their accrued
9 compensatory time. Use of sick leave and vacation leave for emergency
10 childcare is limited to a combined maximum of six (6) days per calendar
11 year.

12 E. ~~_____ Closure of an Employer's place of business, i~~In accordance with the
13 Minimum Wage Requirements and Labor Standards, [RCW 49.46.210](#), by
14 order of a public official for any health-related reason, ~~as defined in WAC~~
15 ~~296-128-600~~ or when an employee's child's school or place of care has been
16 closed for such a reason ~~or after the declaration of an emergency by a local~~
17 ~~or state government or agency, or by the federal government. Health-related~~
18 ~~reason, as defined in WAC 296-128-600 (8), means a serious public health~~
19 ~~concern that could result in bodily injury or exposure to an infectious agent,~~
20 ~~biological toxin, or hazardous material.~~ Health-related reason does not
21 include closure for inclement weather.

22 F. Leave for Military Family Leave Act as required by [RCW 49.77](#) and in
23 accordance with [Section 19.13](#).

24 G. Leave for Domestic Violence Leave as required by [RCW 49.76](#).

25 **13.3 Use of Compensatory Time or Vacation Leave for Sick Leave Purposes**

26 The Employer may allow an employee who has used all of their sick leave to use
27 compensatory time or vacation leave for sick leave purposes.

1 **13.4 Restoration of Vacation Leave**

2 In the event an employee is injured or becomes ill while on vacation leave, the
3 employee may submit a written request to use sick leave and have the equivalent
4 amount of vacation leave restored. The supervisor may require a written medical
5 certificate.

6 **13.5 Sick Leave Reporting, Certification and Verification**

7 A. An employee must promptly notify their supervisor on the first day of sick
8 leave and each day after, unless there is mutual agreement to do otherwise.
9 If an employee is in a position where a relief replacement is necessary if
10 they are absent, they will notify the supervisor at least two (2) hours prior
11 to the scheduled time to report to work (excluding leave taken for
12 emergencies in accordance with [RCW 49.76](#) Domestic Violence Leave).

13 B. The Employer may require a written medical certificate for any sick leave
14 absence that exceeds three days explaining the nature of the illness or
15 absence in circumstances where the Employer suspects an abuse of sick
16 leave. Such medical certification or verification required of overtime-
17 eligible employees shall be in accordance with the Minimum Wage
18 Requirements and Labor Standards, [RCW 49.46.210](#) and [WACs 296-128-](#)
19 [600](#) et seq. sick leave provisions. When a medical certificate is required, the
20 Employer will state reasons for suspicion of sick leave abuse. The Employer
21 will not require continuous medical verification for longer than six (6)
22 months as a result of the Employer suspecting abuse. The required medical
23 certificate will be provided by the employee to the Human Resources Office
24 on the day the employee returns to work.

25 C. An employee returning to work after any sick leave absence may be
26 required to provide the Human Resources Office with written certification
27 from their health care provider that the employee is able to return to work
28 and perform the essential functions of the job with or without reasonable
29 accommodation.

1 **13.6 Sick Leave Annual Cash Out**

2 Each January, an employee is eligible to receive cash on a one (1) hour for four (4)
3 hours basis for ninety-six (96) hours or less of their accrued sick leave, if:

4 A. Their sick leave balance at the end of the previous calendar year exceeds
5 four hundred eighty (480) hours;

6 B. The converted sick leave hours do not reduce their previous calendar year
7 sick leave balance below four hundred eighty (480) hours; and

8 C. The employee notifies their payroll office by January 31st that they would
9 like to convert sick leave hours earned during the previous calendar year,
10 minus any sick leave hours used during the previous year, to cash.

11 All converted hours will be deducted from the employee's sick leave
12 balance.

13 **13.7 Sick Leave Separation Cash Out**

14 At the time of retirement from state service or at death, an eligible employee or the
15 employee's estate will receive cash for their compensable sick leave balance on a
16 one (1) hour for four (4) hours basis. For the purposes of this Section, retirement
17 will not include "vested out of service" employees who leave funds on deposit with
18 the retirement system.

19 **13.8 Reemployment**

20 Former state employees who are re-employed within five (5) years of leaving state
21 service will be granted all unused sick leave credits they had at separation.

TENTATIVE AGREEMENT REACHED

An electronic signature to this Agreement shall be given effect as if it were an original signature.

For the Employer

For the Union

Inti Tapia, Labor Negotiator
OFM/SHR Labor Relations &
Compensation Policy Section



9/16/24

Steve Sloniker,
Director of Contract Administration
WPEA