

**MEMORANDUM OF UNDERSTANDING
BETWEEN
THE STATE OF WASHINGTON
AND
WASHINGTON FEDERATION OF STATE EMPLOYEES
HIGHER EDUCATION COMMUNITY COLLEGE COALITION
(WFSE HE CCC)**

SICK LEAVE USE

Due to the passage of Engrossed Substitute Senate Bill 5793 amending RCW 49.46.210; creating a new section; and providing an effective date; which expands the purposes for which an employee may use sick leave and the definition of family for the purpose of sick leave effective January 1, 2025, the parties agree to modify Article 12, Section 12.2 – Sick Leave Use, as follows:

12.2 Sick Leave Use

Sick leave may be used for:

- A.
 - 1. A personal illness, injury or medical disability that prevents the employee from performing their job, or personal medical or dental appointments.
 - 2. The reasons allowed under the Minimum Wage Requirements and Labor Standards, [RCW 49.46.210](#).
 - 3. Any condition identified in [WAC 357-31-130](#)(1).
- B.
 - 1. Care of family members as required by the Family Care Act, [WAC 296 130](#).
 - 2. Illness or preventive health care appointments of relatives, significant others and domestic partners when the presence of the employee is required.
 - 3. The reasons allowed under the Minimum Wage Requirements and Labor Standards, [RCW 49.46.210](#), family members to include a:

Child, grandchild, grandparent, parent, sibling, or spouse of an employee, and also includes any individual who regularly resides in the employee's home or where the relationship creates an expectation that the employee care for the person, and that individual depends on the employee for care. "Family member" includes any individual who regularly resides in the employee's home, except that it does not include an individual who simply resides in the same home with no expectation that the employee care for the individual.

- a. Child, ~~including means,~~ a biological, adopted, or foster child, stepchild, a child's spouse or a child to whom the employee stands in loco parentis, is a legal guardian, or is a de facto parent, regardless of age or dependency status;
- b. Parent means, ~~B~~biological, adoptive, de facto, or foster parent, stepparent, or legal guardian of an employee or the employee's spouse or registered domestic partner, or a person who stood in loco parentis when the employee was a minor child;
- c. Spouse; means, husband of wife, as the case may be or state registered domestic partner as defined by RCW 26.60;
- d. ~~Registered domestic partner, as defined by RCW 26.60;~~
- e. Grandparent means a parent as defined in 12.2 B 3b above, or the employee's parent;
- f. Grandchild means a child of the employee's child, as defined in 12.2 B 3a above; ~~or~~
- g. ~~Sibling.~~

- C. In accordance with the Minimum Wage Requirements and Labor Standards, [RCW 49.46.210](#), when an employee's place of business has been closed by order of a public official for any health-related reason as defined in WAC 296-128-600, or when an employee's child's school or place of care has been closed for such a reason or after the declaration of an emergency by a local or state government or agency, or by the federal government; ~~health-related reason, as defined in WAC 296-128-600 (8), means a serious public health concern that could result in bodily injury or exposure to an infectious agent, biological toxin, or hazardous material; and health~~Health-related reason does not include closure for inclement weather.
- D. A death of any relative that requires the employee's absence from work. Relatives are defined for this purpose as spouse, significant other, domestic partner, son, daughter, grandchild, foster child, son-in-law, daughter-in-law, grandparent, parent, brother, sister, aunt, uncle, niece, nephew, first cousin, brother-in-law, sister-in-law, ex-spouse or the employee's ex-mother/father-in-law when the employee has a related minor child, and corresponding relatives of employee's spouse, significant other or domestic partner.
- E. Childcare emergencies after the employee has exhausted all of their accrued compensatory time. Use of sick leave and vacation leave for emergency childcare is limited to a combined maximum of five (5) days per calendar year.
- F. Leave for Military Family Leave as required by [RCW 49.77](#) and in accordance with [Section 19.14](#).
- G. Leave for Domestic Violence Leave as required by [RCW 49.76](#).
- H. Qualifying absences for Family and Medical Leave ([Article 15](#)).

This MOU shall be effective January 1, 2025, through June 30, 2025.

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

For the Employer

For the Union

Patricia Foshaug 10/30/2024

Patricia Foshaug, Labor Negotiator
OFM/SHR Labor Relations &
Compensation Policy Section

Mark Hamilton 10/29/2024

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