

**MEMORANDUM OF UNDERSTANDING
BETWEEN
THE STATE OF WASHINGTON
AND
WASHINGTON FEDERATION OF STATE EMPLOYEES
HIGHER EDUCATION COMMUNITY COLLEGE COALITION
SSB 5101 IMPLEMENTATION**

Due to the passage of [Substitute Senate Bill 5101](#) adding hate crimes to the existing protected leave status for victims of sexual assault, stalking, or domestic violence, effective January 1, 2026, the parties agree to modify provisions of the Collective Bargaining Agreement as indicated below:

Article 2 Non-Discrimination

2.1 Under this Agreement, neither party will discriminate against employees on the basis of religion, age, sex, marital status, race, color, as defined by RCW 49.60.040, creed, national origin, political affiliation, military status, status as an honorably discharged veteran, a disabled veteran or Vietnam era veteran, sexual orientation, gender expression, gender identity, any real or perceived sensory, mental or physical disability, genetic information, pregnancy, status as a victim of domestic violence, sexual assault, ~~or~~ stalking, or hate crime, citizenship or immigration status, or because of the participation or lack of participation in union activities. Bona fide occupational qualifications based on the above traits do not violate this Section.

Article 19.15 Domestic Violence Leave

In accordance with the Domestic Violence Leave Act, RCW 49.76, leave without pay, including intermittent leave, will be granted to an employee who is a victim of domestic violence, sexual assault, ~~or~~ stalking, or hate crime. Family members of a victim of domestic violence, sexual assault or stalking will be granted leave without pay to help the victim obtain treatment or seek help. Family member for the purpose of domestic violence leave includes child, spouse, state registered domestic partner, as defined by RCWs 26.60.020 and 26.60.030, parent, parent-in law, grandparent or a person the employee is dating. The Employer may require verification from the employee requesting leave.

Article 34.2 Safety Accommodations

A. An employee may request a reasonable safety accommodation if the employee or the employee's family member is a victim of domestic violence, sexual assault, ~~or~~ stalking, or hate crime (or perceived victim). An employee may be required to show verification of the need for a safety accommodation by providing a police report showing the employee or family member was a victim, a court order protecting or separating the victim from the

perpetrator of the act, or other evidence from the court or the prosecuting attorney to support the request. Documentation from an advocate for victims, an attorney, a member of the clergy or a medical or other professional who provides services to such victims may be provided, and it shall retain its confidential or privileged nature of communication pursuant to the extent provided by law. An employee can also provide a written statement that they or a family member are a victim and in need of the safety accommodation. Verification of the familial relationship to the victim can be in the form of a statement from the employee, a birth certificate, court document, or other similar documentation.

B. A reasonable safety accommodation may include, but is not limited to:

1. A transfer, reassignment, modified schedule, changed work telephone number, changed work email address, changed workstation, installed lock, implemented safety procedure, or any other adjustment to a job structure, workplace facility, or work requirement in response to actual or threatened domestic violence, sexual assault, ~~or~~ stalking, or hate crime.
2. Qualifying leave pursuant to Article 11 – Vacation, Article 12 – Sick Leave, Section 18.7 – Personal Leave and Article 19 – Leave Without Pay may be considered a reasonable safety accommodation.
3. The Employer may deny a reasonable safety accommodation request based on an undue hardship, which means an action requiring significant difficulty or expense.

This MOU will expire on June 30, 2026.

October 30, 2025

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

For the Employer

Patricia Foshaug

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

For the Union

Mark Hamilton

Mark Hamilton, Labor Advocate
Washington Federation of State
Employees, Council 28