

**MEMORANDUM OF UNDERSTANDING
BY AND BETWEEN
PIERCE COUNTY
AND
AMERICAN FEDERATION OF STATE, COUNTY, AND MUNICIPAL EMPLOYEES,
AFL-CIO, AND AFSCME COUNCIL 28
WASHINGTON FEDERATION OF STATE EMPLOYEES (WFSE)**

The parties to this agreement are Pierce County, hereafter the County, and AFSCME Council 28, hereafter the Union, collectively referred to as the Parties.

In accordance with Engrossed Substitute House Bill 1875, which amends RCW 49.46.210, the Parties agree to modify Article 10 – Sick Leave as follows:

10.2 – Authorized Uses.

10.2.1 Sick leave shall be paid at the employee's regular straight-time base hourly rate of pay for the employee's own needs for the following conditions:

- a. An absence resulting from an employee's mental or physical illness, injury, or health condition; to accommodate the employee's need for medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; or an employee's need for preventive medical care;
- b. To allow the employee to provide care for a family member (as defined below in Section 10.2.2), with a mental or physical illness, injury, or health condition; care of a family member who needs medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; or care for a family member who needs preventive medical care, and
- c. When the employee's workplace has been closed by order of a public official for any health-related reason and no alternative site is designated by the County, or when an employee's child's school or place of care has been closed for such a reason;
- e.d. To allow the employee to prepare for, or participate in, any judicial or administrative immigration proceeding involving the employee or employee's family member in accordance with RCW 49.46.210; or
- e.e. Dental care of the employee.
- e.f. Absences that qualify for leave under the domestic violence leave act, Chapter 49.76 RCW; see also Chapter 3.13 of the County Code and Administrative Guidelines, Domestic Violence in the Workplace.

10.3 – Qualifying for Use.

10.3.1 In order to qualify for sick leave, an employee must report the sick leave qualifying absence no later than the beginning of the scheduled working day, unless impracticable, or as soon as possible in the case of any emergency, with notice as soon as feasible of the anticipated date of return to work.

10.3.2 A health care provider's verification that the employee's use of paid sick leave is for an authorized purpose under RCW 49.46.210(b) or 49.46.210(1)(c), the expected duration and that the employee is unable to work or the same information for care of a family member may be required for sick leave in excess of three (3) consecutive workdays. The health care provider's letter may be required to be updated in writing during an extended sick leave. Any County-required verification may not result in an unreasonable burden or expense on the employee, in accordance with WAC 296.128.660.

10.3.3 In accordance with RCW 49.46.210, for purposes of fulfilling a request for verification for leave taken under Section 10.2.1(d), an employee may submit, and the employer must accept:

- a. Documentation that the employee or the employee's family member is involved in a qualifying immigration proceeding from any of the following persons from whom the employee or employee's family member sought assistance in addressing the proceeding: An advocate for immigrants or refugees, an attorney, a member of the clergy, or other professional. The provision of documentation under this subsection does not waive or diminish the confidential or privileged nature of communications between an employee or an employee's family member and one or more of the individuals described in this subsection pursuant to RCW 5.60.060 or other applicable law; or
- b. An employee's written statement that the employee or the employee's family member is involved in a qualifying immigration proceeding and that the leave taken was for one of the purposes described in RCW 49.46.210(1)(b)(iv).

The documentation or written statement must not disclose any personally identifiable information about a person's immigration status or underlying immigration protection.

The Parties agree that this MOU is non-precedent setting and shall not limit, restrict, prevent, or require that the County or the Union enter into similar agreements in the future. This MOU is effective upon the date of full execution by the Parties.

AFSCME Council 28:

By: Tyler Wright 07/17/2025
Tyler Wright (Jul 17, 2025 12:12 PDT)
TYLER WRIGHT Date
Labor Negotiator

PIERCE COUNTY:

By: Ryan N. Mello 07/28/2025
Ryan N. Mello Date
County Executive

By: Mary Robnett - PAT 07/28/2025
Mary Robnett - PAT (Jul 28, 2025 09:01:50 PDT)
MARY ROBNETT Date
Prosecuting Attorney

By: Alyssa Cavanaugh 07/17/2025
Alyssa Cavanaugh (Jul 17, 2025 12:14 PDT)
Alyssa Cavanaugh Date
Labor Relations Chief Negotiator

2025-07-17 Council 28 Sick Leave Changes

Final Audit Report

2025-07-28

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 Agreement completed.

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