

1 MEMORANDUM OF UNDERSTANDING  
2 BETWEEN  
3 THE STATE OF WASHINGTON  
4 AND  
5 WASHINGTON FEDERATION OF STATE EMPLOYEES  
6 HIGHER EDUCATION COMMUNITY COLLEGE COALITION

7 Due to the passage of [Substitute House Bill 2411](#) modifying shared leave provisions to  
8 authorize shared leave for victims of a hate crime and those whose absence is due to  
9 immigration enforcement actions against the employee or the employee's relative;  
10 effective June 11, 2026, the parties agree to modify provisions of the Collective Bargaining  
11 Agreement as indicated below:

12  
13 **Article 13.1, Section A and B**

14 A. The purpose of the leave sharing program is to permit state employees, at no  
15 significantly increased cost to the State, of providing leave to come to the aid  
16 of another state employee, which has caused or is likely to cause the employee  
17 to take leave without pay or terminate their employment, who ~~has been~~ is:

- 18 1. ~~e~~Called to service in the uniformed services; ~~who is~~
- 19 2. ~~R~~esponding to a state of emergency anywhere within the United States  
20 declared by the federal or state government; ~~who is~~
- 21 3. ~~a~~A victim of domestic violence, sexual assault, ~~or~~ stalking, or a hate crime;
- 22 4. ~~or who is s~~uffering from or has a relative or household member suffering  
23 from, an extraordinary or severe illness, injury, impairment, or physical or  
24 mental condition;;
- 25 5. ~~S~~ick or temporarily disabled because of pregnancy disability;
- 26 6. Taking parental leave to bond with their newborn, adoptive or foster child;
- 27 7. A current member of the uniformed services or a veteran as defined under  
28 RCW 41.04.005, and is attending medical appointments or treatments for a  
29 service connected injury or disability.;
- 30 8. A spouse of a current member of the uniformed services or a veteran as  
31 defined under RCW 41.04.005, who is attending medical appointments or

1 treatments for a service connected injury or disability and requires  
2 assistance while attending appointments or treatments;

3 9. An employee legally authorized to work in the United States under federal  
4 law and the employee's absence is due to the involvement of the employee  
5 or the employee's relative or household member in an immigration  
6 enforcement action. ~~which has caused or is likely to cause the employee to~~  
7 ~~take leave without pay or terminate their employment.~~

8 B. For purposes of the leave sharing program, the following definitions apply:

9 1.A.—"Domestic violence" means physical harm, bodily injury, assault,  
10 sexual assault or the infliction of fear of imminent physical harm,  
11 bodily injury, assault, or sexual assault, or stalking as defined in  
12 [RCW 9A.46.110](#) of one intimate partner by another intimate partner;  
13 or of one family or household member by another family or  
14 household member as defined in [RCW 10.99.020](#).

15 2.B. "Employee" means any employee who is entitled to accrue sick  
16 leave or vacation leave and for whom accurate leave records are  
17 maintained. (Although part-time hourly appointments are entitled to  
18 sick leave, [Article 13](#) does not apply to these appointments.)

19 3.C. "Employee's relative" ~~normally will be limited to the employee's~~  
20 ~~spouse,~~ includes state registered domestic partner as defined by  
21 [RCWs 26.60.020](#) and [26.60.030](#), ~~child, stepchild, grandchild,~~  
22 ~~grandparent, or parent.~~

23 4.D.—"Relative or Household members" are defined as a child, grandchild,  
24 grandparent, parent, sibling, or spouse of an employee, and also  
25 includes any individual persons—who regularly resides in the  
26 employees same—home or where the relationship creates an  
27 expectation that the employee care for the person, and that  
28 individual depends on the employee for care. "Relative or household

1 member” includes any individual who regularly resides in the  
2 employee’s home, except that it does not include an individual who  
3 simply resides in the same home with no expectation that the  
4 employee care for the individual. ~~who have reciprocal duties to and~~  
5 ~~do provide financial support for one another.~~ This term will include,  
6 but is not limited to, foster children and legal wards even if they do  
7 not live in the household. The term does not include an individual  
8 who simply resides in the same home with no expectation that the  
9 employee care for the individual, or persons sharing the same  
10 general house when the living style is primarily that of a dormitory  
11 or commune.

12 5.E.—“Parental leave” means leave to bond and care for a newborn child  
13 after birth or to bond and care for a child after placement for  
14 adoption or foster care, for a period of up to sixteen (16) weeks after  
15 the birth or placement. If the birth parent suffers from a pregnancy  
16 disability, the period of sixteen (16) weeks begins immediately after  
17 the pregnancy disability has ended provided that the parental leave  
18 is used within the first year of the child’s life.

19 6F.—“Pregnancy disability” means a pregnancy-related medical  
20 condition or miscarriage.

21 7G.—“Service in the uniformed services” means the performance of duty  
22 on a voluntary or involuntary basis in a uniformed service under  
23 competent authority and includes active duty, active duty for  
24 training, initial active duty for training, inactive duty training, full-  
25 time national guard duty including state-ordered active duty, and a  
26 period for which a person is absent from a position of employment  
27 for the purpose of an examination to determine the fitness of the  
28 person to perform any such duty.

1 8H.—"Severe" or "extraordinary" condition is defined as serious or  
2 extreme and/or life threatening.

3 9I.—"Sexual assault" has the same meaning as in [RCW 70.125.030](#).

4 10J. "Stalking" has the same meaning as in [RCW 9A.46.110](#).

5 11. "Hate Crime" has the same meaning as in [RCW 49.76.020](#).

6 12.K. "Uniformed services" means the armed forces, the army national  
7 guard, and the air national guard of any state, territory,  
8 commonwealth, possession, or district when engaged in active duty  
9 for training, inactive duty training, full-time national guard duty, or  
10 state active duty, the commissioned corps of the public health  
11 service, the coast guard, and any other category of persons  
12 designated by the President of the United States in time of war or  
13 national emergency.

14 13.L. "Victim" means a person that domestic violence, sexual assault, or  
15 stalking has been committed against as defined in this Article.

16 14. "Immigration enforcement action" has the same meaning as [RCW](#)  
17 [41.04.665](#).

18  
19 **13.2 Shared Leave Receipt, sections A and B**

20 A. An employee may be eligible to receive shared leave if the Employer has  
21 determined the employee meets any of the following criteria:

22 1. The employee suffers from, or has a relative or household member  
23 suffering from, an illness, injury, impairment, or physical or mental  
24 condition which is of an extraordinary or severe nature;

25 2. The employee has been called to service in the uniformed services;

1 3. A state of emergency has been declared anywhere within the United  
2 States by the federal or any state government and the employee has  
3 the needed skills to assist in responding to an emergency or its  
4 aftermath and volunteers their services to either a governmental  
5 agency or to a nonprofit organization engaged in humanitarian relief  
6 in the devastated area, and the governmental agency or nonprofit  
7 organization accepts the employee's offer of volunteer services;

8 4. The employee is a victim of domestic violence, sexual assault, ~~or~~  
9 stalking, or hate crime;

10 5. The employee needs the time for parental leave as defined in  
11 Subsection 13.1 ~~EB.5~~;

12 6. The employee is sick or temporarily disabled because of pregnancy  
13 disability, as defined in Subsection 13.1 ~~FB.6~~.

14 7. The employee is a current member (or the spouse of a current  
15 member) of the uniformed services or a veteran as defined under  
16 RCW 41.04.005, and is attending medical appointments or  
17 treatments for a service connected injury or disability; or

18 8. The employee is the spouse of a current member of the uniformed  
19 services or a veteran as defined under RCW 41.04.005, and is  
20 attending medical appointments or treatments for a service  
21 connected injury or disability and requires assistance while  
22 attending appointments or treatments.

23 9. Is legally authorized to work in the United States under federal law  
24 and the employee's absence from work is due to the involvement of  
25 the employee or employee's relative or household member in an  
26 immigration enforcement action.

1 B. The illness, injury, impairment, condition, call to service, emergency  
2 volunteer service, or consequence of domestic violence, sexual assault, ~~or~~  
3 stalking, or hate crime, parental leave or pregnancy disability, or  
4 involvement of the employee or employee's relative or household member  
5 in an immigration enforcement action, has caused, or is likely to cause, the  
6 employee to:

- 7 1. Go on leave without pay status; or
- 8 2. Terminate state employment.

9 **13.3 Shared Leave Use, Section 13.3 C and new Section 13.3 J**

10 C. The Employer may require the employee to submit, prior to approval or  
11 disapproval, verification of the employee's status as a victim of domestic  
12 violence, sexual assault, ~~or~~ stalking, or a hate crime for shared leave under  
13 Subsection 13.2 A.4. Such verification will be in accordance with the  
14 Domestic Violence Leave Act, [RCW 49.76](#) and may be one or more of the  
15 following:

- 16 1. An employee's own written statement;
- 17 2. A statement from an attorney or advocate, member of the clergy, or  
18 medical or other professional; and/or
- 19 3. A court order or police report documenting the employee is a victim  
20 of domestic violence, sexual assault or stalking.

21  
22 J. The agency head or designee may but is not required to request that the  
23 employee submit verification as provided for in RCW 41.04.665 for leave  
24 taken due to the involvement of the employee or employee's relative or  
25 household member in an immigration enforcement action.

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27 **This MOU shall be effective June 11, 2026.**

For the Employer

*Patricia Foshaug* 06/05/2026

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

For the Union

*Mark Hamilton* 6/4/2026

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

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