

# Policy 2.1.23

## Leave

**Contact: Human Resources Director**

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### 2.1.23.1 Purpose

The purpose of this policy is to provide the Consolidated Technology Services (CTS) employees with guidance regarding their roles and responsibilities in the leave processes as set forth in [Chapter 357-31 WAC](#) Holidays and Leave.

WaTech/CTS establishes the following regarding the accrual and conditions of leave accrual and usage for the types of leave referenced within [WAC 357-31-100](#).

Washington Technology Solutions (WaTech) refers to the “consolidated technology services (CTS) agency” identified in RCW 43.105.

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### 2.1.23.2 Applicability

This policy applies to all Non-Represented General Service and WMS employees.

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### 2.1.23.3 Responsibility

#### WaTech/CTS Management

1. For purposes of this policy, WaTech/CTS Management includes the Director, Deputy Director, Assistant Directors and appointing authorities.
2. Reviews and approves leave policies and revisions to the content of this policy.
3. Is responsible for decision-making on matters for which authority has not been otherwise delegated.

#### Managers and Supervisors

1. Monitor compliance and approval of leave requests as set forth within this policy for those employees under their direct supervision.
2. Work with the Human Resources Office (HRO) to ensure compliance in the implementation and administration of this policy.

#### Human Resources

1. Assist WaTech/CTS Management in the administration and compliance of this policy.
2. Provides recommendations regarding the appropriate human resource practices in the administration of leave.
3. Provides training and education on this policy as part of New Employee Orientation and incorporates the policy into the training requirements for all staff.

4. Monitor and track the appropriate provisions and use of leave as stated within this policy in conjunction with payroll.

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#### 2.1.23.4 Definitions

“**Anniversary Date**” is the unbroken service date plus prior state service minus leave without pay when it exceeds 15 consecutive calendar days as provided in WAC 357-31-345. The anniversary date is used to determine when vacation leave over 240 hours is lost and for computing the rate of vacation leave accrual beginning with the fifth year of total state service.

“**Child**” is a biological, adopted, foster child, or a stepchild.

“**Emergency health condition**” is a sudden, generally unexpected occurrence or set of circumstances related to a person’s health, which requires immediate action and is typically short-term in nature.

“**Family members**” are individuals considered to be members of the family, i.e. parent, step-parent, sister, brother, parent-in-law, spouse, grandparent, grandchild, minor/dependents child, and child.

“**Full-time Employee**” is an employee who is scheduled to work:

- 40 hours in one (1) workweek or;
- 80 hours in two (2) workweeks

“**Household members**” are persons who reside in the same home who have reciprocal duties to and provide financial support for one another. The term does not include persons sharing the same house when the living style is primarily that of a dormitory or commune.

“**Loco parentis**” is an individual who stands or stood in the place of a parent.

“**Minor/dependent child**” is a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in *loco parentis*, who is:

- Under 18 years of age, or
- 18 years of age or older and incapable of self-care because of a mental or physical disability.

Persons who are in *loco parentis* are those with day-to-day responsibilities to care for and financially support a child.

“**Parent**” is a biological parent of an employee or an individual who stood in *loco parentis* to an employee when the employee was a child. A person who had day-to-day responsibilities to care for and financially support the employee when he or she was a child is considered to have stood in *loco parentis* to the employee.

“**Parent-in-law**” is a biological parent of an employee’s spouse or an individual who stood in *loco parentis* to an employee’s spouse when the employee’s spouse was a child. A person who had day-to-day responsibilities to care for and financially support the employee’s spouse when he or she was a child is considered to have stood in *loco parentis* to the employee’s spouse.

“**Part-time employee**” is an employee who is scheduled to work less than that required for a full-time employee.

“Unbroken Service Date” is the date a general government employee began current continuous state service. This date is used for computing the rate of vacation leave accrual through and including the employee’s fourth year of continuous service. The unbroken service date is adjusted by leave without pay when it exceeds 15 consecutive calendar days as provided in [WAC 357-31-345](#).

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### 2.1.23.5 Holidays WAC 357-31-005

The Consolidated Technology Services will follow [Chapter 357-31 WAC](#) for holiday entitlement and use. WaTech/CTS recognizes the following legal holidays as designated by statute ([RCW 1.16.050](#)):

1) First day of January (New Year’s Day)	6) First Monday of September (Labor Day)
2) Third Monday of January (Martin Luther King Day)	7) Eleventh day of November (Veterans Day)
3) Third Monday of February (President’s Day)	8) Fourth Thursday of November (Thanksgiving Day)
4) Last Monday of May (Memorial Day)	9) Fourth Friday of November (Day After Thanksgiving Day)
5) Fourth day of July (Independence Day)	10) Twenty-fifth day of December (Christmas Day)

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### 2.1.23.6 Personal Holiday

WaTech/CTS follows [Chapter 357-31 WAC](#) for personal holiday entitlement and use. All WaTech/CTS employees must submit a leave request in advance. Approval of leave will depend on operational needs.

WaTech/CTS employees are entitled to one personal holiday per calendar year in addition to those referenced in the section 2.1.23.5 of this policy. Any employee who is scheduled to be, or has been continuously employed by the State of Washington for at least four (4) months is eligible for the Personal Holiday.

An employee may donate all or part of their Personal Holiday to the Shared Leave Program or to provide care as provided for within [WAC 357-31-425](#) and [WAC 357-31-070](#).

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### 2.1.23.7 Leave General Conditions

The Consolidated Technology Services sets forth the following policy regarding the request and approval of leave:

- Employees will be allowed to use vacation leave without advance approval when the employee is requesting the use of vacation leave to respond to family care emergencies or for an emergency health condition as provided in [WAC 357-31-100](#).
- Unauthorized absences are treated/considered unauthorized leave without pay and may be grounds for separation under the provisions of [WAC 357-46-210](#).
- WaTech/CTS transfers any unused leave credits (sick and vacation) for employees who change state employers without a break in service.

- WaTech/CTS will prorate leave accruals for part-time employees and will be proportionate to the number of hours in pay status in the month to that required for full-time employment.

### 2.1.23.8 Sick Leave

Full-time employees accrue eight (8) hours of sick leave per month. Part-time employees accrue sick leave each month on a pro-rata basis in accordance with [WAC 357-31-115](#).

Full-time employees who are in pay status for less than (80) non-overtime hours in a month do not earn a monthly accrual of sick leave ([WAC 357-31-120](#)).

WaTech/CTS may require medical verification or certification of the reason for sick leave use.

WaTech/CTS grants the use of sick leave under the specific criteria set forth in this policy and in accordance with [WAC 357-31-130](#).

WaTech/CTS also allows the use of accrued sick leave under the following conditions:

- For condolence or bereavement;
- When an employee is unable to report for work due to inclement weather in accordance with the department’s policy on Inclement Weather ([WAC 357-31-255](#)).

WaTech/CTS requires that employees submit sick leave requests in advance when possible or by the end of the first day back from the sick leave absence.

WaTech/CTS prohibits the use of sick leave in advance of its accrual in accordance with [WAC 357-31-140](#).

WaTech/CTS allows the use of sick leave in those specified circumstances as stated within this policy while the employee is on vacation leave ([WAC 357-31-145](#)).

In concurrence with the attendance incentive program established by RCW 41.14.340, WaTech/CTS pays employees for accrued sick leave in accordance with [WAC 357-31-150](#).

WaTech/CTS will not pay for accrued sick leave for employees who separate employment for any reason other than retirement or death.

WaTech/CTS restores former employees unused sick leave credits, if any, to which they were entitled at the time of separation, who are re-employed within five (5) years of their separation from state service.

### 2.1.23.9 Vacation Leave

Full-time employees of the Consolidated Technology Services will accrue vacation leave at the following rates:

During first year of continuous state employment	12-days (8 hours per month)
During second year of continuous state employment	13 days (8 hours, 40 minutes per month)
During third and fourth years of continuous state	14 days (9 hours, 20 minutes per

employment	month)
During fifth, sixth, and seventh years of total state employment	15 days (10 hours per month)
During eighth, ninth, and tenth years of total state employment	16 days (10 hours, 40 minutes per month)
During the eleventh years of total state employment	17 days (11 hours, 20 minutes per month)
During twelfth years of total state employment	18 days (12 hours per month)
During thirteenth year of total state employment	19 days (12 hours, 40 minutes per month)
During fourteenth year of total state employment	20 days (13 hours, 20 minutes per month)
During fifteenth year of total state employment	21 days (14 hours per month)
During sixteenth and succeeding years of total state employment	22 days (14 hours, 40 minutes per month)

Part-time employees accrue vacation leave on a pro-rata basis in accordance with [WAC 357-31-125](#).

WaTech/CTS grants the use of vacation leave and implements the accrual and pay out of vacation leave under the specific criteria set forth within this policy and in accordance with [WAC 357-31-165](#) through 225.

WaTech/CTS requires that employees request vacation leave prior to the actual leave date. Leave request must be approved prior to taking the leave. Approval of leave will depend on operational needs and can be cancelled at any time on the basis of operational needs.

WaTech/CTS must grant the use of vacation leave under the following conditions:

- As a result of the employee's serious health condition;
- To care for a spouse, parent, parent-in-law, or grandparent of the employee who has a serious health condition or an emergency health condition;
- To care for a minor/dependent child with a health condition that requires treatment or supervision;
- For parental leave as provided in [WAC 357-31-460](#).

WaTech/CTS may withhold approval pending verification from the health care provider that a serious health condition exists.

WaTech/CTS considers the needs of the employee but may require that leave be taken when it least interferes with the operational needs of WaTech/CTS ([WAC 357-31-205](#)).

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### 2.1.23.10 Compensatory Time

WaTech/CTS requires that employees request compensatory time off prior to the actual leave date. Compensatory time off must be approved prior to taking the leave. Approval of compensatory time will depend on operational needs and can be cancelled at any time on the basis of operational needs.

WaTech/CTS must grant compensatory time to care for a spouse, parent, parent-in-law, or grandparent who has a serious health condition or an emergency health condition, or to care for a minor/dependent child with a health condition that requires treatment or supervision. In accordance with this leave

policy; WaTech/CTS may withhold approval pending verification from the health care provider that a serious health care condition exists.

WaTech/CTS may schedule compensatory time off during the final sixty (60) calendar days of the biennium ([WAC 357-31-230](#) (5)).

WaTech/CTS may require that accumulated compensatory time be used before vacation leave is approved, except in those instances where this requirement would result in loss of accumulated vacation leave.

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### **2.1.23.11 Workers' Compensation and Leave Use**

WaTech/CTS employees who sustain a work related injury or illness that is qualified under the workers' compensation law may choose to receive time-loss compensation exclusively, or combine time-loss compensation with accrued paid leave ([WAC 357-31-235](#) and [245](#)).

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### **2.1.23.12 Bereavement Leave**

WaTech/CTS grants three (3) days of paid bereavement leave for the death of a family member or a household member. The employee may request less than three (3) days of bereavement leave ([WAC 357-31-250](#)).

Additionally, the employee may request and WaTech/CTS may grant the use of paid leave (accrued compensatory time, sick leave, vacation leave, and/or a personal holiday) or leave without pay for the purpose of bereavement.

WaTech/CTS may require verification of the family member's or household member's death.

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### **2.1.23.13 Family Care Emergencies**

WaTech/CTS authorizes absences because of an employee's inability to report for continued scheduled work due to a family care emergency under the following circumstances: ([WAC 357-31-285](#))

- The employee must be authorized for care of their spouse, household member or employee's/spouse's child, parent or grandparent up to the limits specified in [WAC 357-31-300](#).
- In accordance with this leave policy, the employee may be authorized to care for others on a case-by-case basis.

WaTech/CTS Family Care Emergency definitions include but are not limited to:

- Minor/dependent child-care emergencies such as unexpected absence of regular care provider, unexpected closure of child's school, or unexpected need to pick up child at school earlier than normal.
- Elder care emergencies such as the unexpected absence of a regular care provider or unexpected closure of an assisted living facility.

The employee must notify supervisor when requesting family care emergency leave. Employee must use all compensatory time first. Once compensatory time is used, the employee may choose any of the

leave categories listed below to account for time away from work for family care emergencies. Use of any of the leave categories is dependent on the employee's eligibility to use that leave. WaTech/CTS may grant leave in excess of three (3) days if necessary. The employee must use compensatory time first, and then the employee may choose:

- Accrued vacation leave up to three (3) days.
- Accrued sick leave up to three (3) days.
- Leave without pay up to three (3) days.
- Personal holiday.

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### **2.1.23.16 Jury Duty**

The WaTech/CTS grants a leave of absence with pay when an employee is required to report for jury duty service. Further documentation of jury service verification may be required. SEE WAC [357-31-310](#), and [315](#)

WaTech/CTS employees are allowed to keep any compensation received for serving as a member of a jury in addition to their regular pay.

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### **2.1.23.17 Miscellaneous Reasons for Leave**

When a WaTech/CTS employee receives a subpoena under the following circumstances, they must be granted a leave of absence with pay to respond to the subpoena ([WAC 357-31-320](#)):

- The employee has been subpoenaed on the employer's behalf; or
- The subpoena is for a legal proceeding that is unrelated to the personal or financial matters of the employee.

WaTech/CTS must grant leave with pay for the following reasons ([WAC 357-31-325](#)):

- To allow an employee to receive assessment from the Employee Assistance Program (EAP).
- To take an examination or participate in an interview for a position with a state employer during scheduled work hours. WaTech/CTS will allow up to four (4) hours for interviews or examinations that are outside of the Olympia/Thurston County area.

WaTech/CTS may deny an employee's request to participate in an interview or take an examination during scheduled work hours based upon operational necessity. [WAC 357-31-325](#) (2) (b)

WaTech/CTS may grant leave with pay for an employee to perform civil duties including but not limited to fire fighting, search and rescue efforts or donating blood.

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### **2.1.23.18 Leave Without Pay**

WaTech/CTS may grant leave without pay for the following reasons in accordance with this policy:

For any reason leave with pay may be granted, as long as the conditions for leave with pay are met SEE [WAC 357-31-330](#);

- Educational leave;
- Leave for government service in the public interest;
- Military leave of absences ([WAC 357-31-370](#));
- Parental leave ([WAC 357-31-460](#));
- Family care emergencies ([WAC 357-19-295](#));
- Bereavement;
- Accommodation of annual work schedules of employees occupying cyclic year positions ([WAC 357-31-295](#));
- Serious health condition of an eligible employee's child, spouse, or parent ([WAC 357-31-525](#));
- Leave taken voluntarily to reduce the effect of an employer's layoff;
- Leave that is authorized in advance by the appointing authority as part of a plan to reasonably accommodate a person of disability; or
- Employees receiving time loss compensation.

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### 2.1.23.19 Participation in Medical Expense Plans

WaTech/CTS allows for eligible employees to participate in a medical expense plan where instead of the sick leave cash out at retirement, the employees have the option to deposit equivalent funds in a medical expense plan that meets the tax deferred requirements of the Internal Revenue Service ([WAC 357-31-375](#)).

See [WaTech/CTS Policy 4.1.9 Retiree's Medical Expense Plan \(VEBA MEP\) Program](#).

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### 2.1.23.20 Shared Leave

WaTech/CTS has established procedures regarding Shared Leave. See [WaTech/CTS Policy 2.1.7 Shared Leave](#).

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### 2.1.23.21 Parental Leave

WaTech/CTS grants parental leave to permanent employees for the following:

- The birth and care of a newborn child of the employee; or
- Placement of a child with the employee for adoption or foster care.

The following criteria regarding parental leave apply:

- Permanent employees or employees who have worked for the state for at least twelve (12) months and for at least one thousand two hundred fifty (1250) hours during the previous twelve-month period qualify for parental leave ([WAC 357-31-465](#)).
- The employee must provide not less than thirty (30) days' notice, except when a child's birth or placement requires leave to begin in less than thirty (30) days', in which case the employee must provide notice as soon as is practicable.



- Employee must take parental leave during the first year following the child's birth or placement of the child with the employee for adoption or foster care ([WAC 357-31-460](#)).
- Employees are entitled to request six (6) months of parental leave for the purposes specified [WAC 357-31-460](#). WaTech/CTS may only deny requests for that portion of the parental leave that exceeds the provisions of [WAC 357-31-525](#). The only basis for denial is operational necessity. WaTech/CTS may approve requests for more than six (6) months of parental leave.
- Employees will request disability (pregnancy/child birth) leave in writing and when they are aware of the medical condition. WaTech/CTS may require a medical certification for disability due to pregnancy and/or childbirth from the licensed health care provider.
- Employees may use parental leave may be a combination of vacation leave, personal holiday, compensatory time, and leave of absence without pay. Sick leave may be used if the criteria in [WAC 357-31-130](#) are met. The combination and use of paid and unpaid leave during a parental leave is at the employee's choice.
- If necessary while on approved parental leave, the employee must be allowed to use a minimum of eight (8) hours per month of the accrued paid leave during a parental leave of absence without pay to provide for continuation of benefits as provided by the public employees' benefits board. Paid leave can be interspersed at any time during the month to maintain benefits.

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### 2.1.23.22 Family Medical Leave Act

WaTech/CTS designates a total of twelve (12) work weeks of accrued paid leave or leave without pay for the purposes of parental leave as family and medical leave under the Family and Medical Leave Act ([WAC 357-31-495](#)). These twelve (12) weeks are in addition to any paid or unpaid leave the employee is eligible for and takes for sickness or temporary disability due to pregnancy or childbirth. See [WaTech/CTS Policy 2.1.14 Family Medical Leave Act \(FMLA\)](#).

WaTech/CTS grants a leave of absence for the period of time that a permanent employee is sick or temporarily disabled because of pregnancy or childbirth ([WAC 357-31-500](#)).

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**Effective Date:** July 1, 2005  
**Revised Date:** August 1, 2013  
**Sunset Review Date:** August 1, 2017

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**Approved By:**



07/29/2013

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**Director**

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