

- I. **TITLE:** WASHINGTON FAMILY CARE ACT
- II. **EFFECTIVE DATE:** 1 April 2009
- III. **APPLICABILITY:** All Spokane Transit Employees who have available paid leave.
- IV. **AUTHORIZATION:** Signature on file 17 March 2009
- V. **SUPERSEDES:** NA

## VI. INTRODUCTION

The Washington Family Care Act (WFCA), RCW 49.12.265 through 49.12.295, allow employees with available sick leave or other paid time off to care for their sick spouse, parent, parent-in-law, grandparent, children under age 18, and adult children with disabilities.

An employer shall not discharge, threaten to discharge, demote, suspend, discipline, or otherwise discriminate against an employee because the employee has taken time off to care for a sick family member, or attempted to take the time off or has filed a complaint, testified, or assisted in any proceeding under RCW [49.12.270](#) through [49.12.295](#).

Discipline is withheld on any WFCA qualified absence as long as the employee has paid time off leave available to them.

Spokane Transit Authority will provide employees the opportunity to exercise their rights as outlined in Washington Family Care Act found in RCW 49.12.265 through 49.12.295.

## VII. DEFINITIONS

**Child:** a biological, adopted or foster child, a stepchild, a legal ward, or a child of a person standing in for a parent

**Caring for a child includes:**

- Treatment or medication that the child cannot self administer;
- Condition which would endanger the child's safety or recovery; or
- Treatment which requires a parent to authorize the treatment.

**Adult family member:** spouse, parent, parent-in-law, or grandparent

**Caring for adult family member includes:**

- An overnight stay in a medical-care facility;
- Period of incapacity, treatment, or recovery following inpatient care;
- Continuing treatment that includes any period of incapacity to work or perform daily activities; or
- Emergency health condition.

**Certification:** documentation that establishes an employee's absence from work was to care for a WFCA covered family member. Examples include but are not limited to Dr.'s note, WFC Medical Certification Form, or a note from child's school or daycare.

**Paid Time Off:** any unused accrued vacation, sick, or holiday pay.

## VIII. ELIGIBILITY

Employees with available paid leave are entitled to time off to care for a child with a health condition that requires treatment or supervision, or to care for a spouse, parent, parent-in-law, or grandparent who has a serious health condition or an emergency health condition, and to care for children 18 years and older with disabilities. Grandparents-in-law, grandchildren, and siblings are not included.

## IX. LEAVE ENTITLEMENT

If an employee already has access to paid leave, i.e., sick leave, vacation or holiday leave, for their own illness, under Washington Family Care they will also have access to that same paid leave to care for a sick family member.

## X. PROCEDURES FOR REQUESTING LEAVE

All requests for Washington Family Care Leave must be submitted to the Human Resource Department on an authorized Leave Request Form. Leave Request Forms can be obtained in the Human Resource Department. All leave requests will be reviewed for compliance with the intent and provisions of the WFCA and these policies and procedures. The Human Resources Manager will approve eligible requests.

When it is not possible to formally request leave in advance, employees may provide the Employer with verbal notification of their need for family leave. Such notice must be given within two business days of the qualifying event, or as soon as is reasonably practical. When advance notice is not practical, employees are expected to comply with the Authority's usual procedures for requesting leave as soon as can be reasonably expected.

In addition, the employee may need to complete a 'Proof of Relationship' form.

## XI. COORDINATION WITH FAMILY AND MEDICAL LEAVE

An employee on Washington Family Care leave may also qualify for Family and Medical Leave. In such instances the employee will be notified that their leave is being counted towards their twelve (12) week annual allotment.