



SEATTLE CITY COUNCIL

Legislative Summary

CB 119513

Record No.: CB 119513

Type: Ordinance (Ord)

Status: Passed

Version: 2

Ord. no: Ord 125834

In Control: City Clerk

File Created: 04/30/2019

Final Action: 06/17/2019

Title: AN ORDINANCE relating to the City of Seattle's Paid Family Care Leave program; amending Sections 4.29.010, 4.29.020, 4.29.030, and 4.29.070 of the Seattle Municipal Code.

Date

Notes:

Filed with City Clerk:

Mayor's Signature:

Sponsors: González ,Mosqueda

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments:

Drafter: adam.schaefer@seattle.gov

Filing Requirements/Dept Action:

History of Legislative File

Legal Notice Published: Yes No

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Mayor	05/01/2019	Mayor's leg transmitted to Council	City Clerk			
	Action Text: The Council Bill (CB) was Mayor's leg transmitted to Council. to the City Clerk						
	Notes:						
1	City Clerk	05/01/2019	sent for review	Council President's Office			
	Action Text: The Council Bill (CB) was sent for review. to the Council President's Office						
	Notes:						
1	Council President's Office	05/03/2019	sent for review	Gender Equity, Safe Communities, New Americans, and Education Committee			
	Action Text: The Council Bill (CB) was sent for review. to the Gender Equity, Safe Communities, New Americans, and Education Committee						

Notes:

- | | | | | | |
|---|--|---|------------------------------------|--|------|
| 1 | City Council | 05/06/2019 | referred | Gender Equity,
Safe
Communities,
New Americans,
and Education
Committee | |
| 1 | Gender Equity, Safe
Communities, New
Americans, and
Education Committee | 05/22/2019 | pass as amended | | Pass |
| | Action Text: | The Committee recommends that City Council pass as amended the Council Bill (CB).
In Favor: 3 Chair González , Vice Chair Mosqueda, Member Pacheco
Opposed: 0 | | | |
| 2 | City Council | 06/03/2019 | passed | | Pass |
| | Action Text: | The Council Bill (CB) was passed by the following vote, and the President signed the Bill:
In Favor: 9 Councilmember Bagshaw, Councilmember González , Council
President Harrell, Councilmember Herbold, Councilmember Juarez,
Councilmember Mosqueda, Councilmember O'Brien, Councilmember
Pacheco, Councilmember Sawant
Opposed: 0 | | | |
| 2 | City Clerk | 06/07/2019 | submitted for
Mayor's signature | Mayor | |
| 2 | Mayor | 06/17/2019 | Signed | | |
| 2 | Mayor | 06/17/2019 | returned | City Clerk | |
| 2 | City Clerk | 06/17/2019 | attested by City Clerk | | |
| | Action Text: | The Ordinance (Ord) was attested by City Clerk. | | | |
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CITY OF SEATTLE

ORDINANCE 125834

COUNCIL BILL 119513

AN ORDINANCE relating to the City of Seattle’s Paid Family Care Leave program; amending Sections 4.29.010, 4.29.020, 4.29.030, and 4.29.070 of the Seattle Municipal Code.

WHEREAS, The City of Seattle (City) provides Paid Family Care Leave for the care of family members; and

WHEREAS, the City values all City employees and recognizes that the loss of a child at any age is devastating; and

WHEREAS, City employees who lose a child are currently ineligible for both paid family care leave and paid parental leave; and

WHEREAS, the change proposed below was first considered following the experience of City employee Rachel Alder, and her wife Erin Alder, whose daughter, Beatrice “Bea” Kathryn Alder passed away 36 hours after birth due to medical issues; and

WHEREAS, under the City’s current policy, Rachel Alder did not qualify for more than three days of leave; and

WHEREAS, when an employee has lost a child, the City wants to provide access to Paid Family Care Leave; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 4.29.010 of the Seattle Municipal Code, enacted by Ordinance 125260, is amended as follows:

4.29.010 Definitions

Unless another meaning is clearly indicated from the context, as used in this Chapter 4.29:

1 “Child” means a biological, adopted, or foster child, a step child, a legal ward, or a child
2 of a person standing in loco parentis, who is:

- 3 1. Under 18 years of age; or
4 2. 18 years of age or older and incapable of self-care because of a mental or
5 physical disability.

6 * * *

7 "Parent" means the parent of an employee or the parent of the employee's
8 spouse/domestic partner, or an individual who stood in loco parentis to an employee or the
9 employee's spouse/domestic partner when the employee or the employee's spouse/domestic
10 partner was a ~~((son or a daughter))~~ child.

11 “Qualifying death” means either (a) the death of a child or (b) the death of a domestic
12 partner or spouse either from childbirth or from complications related to childbirth.

13 * * *

14 ~~((“Son or daughter” means a biological, adopted, or foster child, a step child, a legal~~
15 ~~ward, or a child of a person standing in loco parentis, who is:~~

- 16 ~~1. Under 18 years of age; or~~
17 ~~2. 18 years of age or older and incapable of self-care because of a mental or~~
18 ~~physical disability.))~~

19 * * *

20 Section 2. Section 4.29.020 of the Seattle Municipal Code, enacted by Ordinance
21 125260, is amended as follows:

22 **4.29.020 Leave provisions**

1 A. Eligible employees are entitled to up to four weeks of paid family care leave in a
2 rolling 12-month period, in addition to any paid leave to which they may otherwise be entitled, to
3 care for a spouse/domestic partner, or a ~~((son or daughter))~~ child, or parent of the employee or
4 spouse/domestic partner, if such spouse/domestic partner, ~~((son, daughter))~~ child, or parent has a
5 serious health condition, or for the employee in the event of a qualifying death. Paid family care
6 leave in the event of a qualifying death must be taken within 12 months of the qualifying death.
7 Except in the event of a qualifying death, paid~~((Paid))~~ family care leave under this Chapter 4.29
8 runs concurrently with the eligible employee's family medical leave entitlement under Chapter
9 4.26, such that an employee who has exhausted ~~((his or her))~~ the employee's family medical
10 leave entitlement is not eligible to take paid family care leave. Except in the event of a qualifying
11 death, to ~~((To))~~ become eligible for paid family care leave, an employee must reduce ~~((his or~~
12 ~~her))~~ the employee's paid leave balances as proscribed by Section 4.29.050. Except in the event
13 of a qualifying death, to become eligible for paid family care leave, an employee must ~~((and))~~
14 have the serious health condition certified by the health care provider of the ~~((son, daughter))~~
15 child, spouse/domestic partner, or parent of the employee or spouse/domestic partner. In the
16 event of a qualifying death, an employee must have the death certified.

17 * * *

18 Section 3. Section 4.29.030 of the Seattle Municipal Code, enacted by Ordinance 125260,
19 is amended as follows:

20 **4.29.030 Notice**

21 A. In any case in which the necessity for paid family care leave is foreseeable based on
22 planned medical treatment, the employee shall:

1 1. Make a reasonable effort to schedule the treatment so as not to disrupt unduly
2 the operations of the City, subject to the approval of the health care provider of the ~~((son,~~
3 ~~daughter,))~~ child, spouse/domestic partner, or parent, as appropriate; and

4 2. Provide the City with not less than 30 days' notice, before the date the leave is
5 to begin, of the employee's intention to take paid family care leave, except that if the date of the
6 treatment requires leave to begin in less than 30 days, the employee shall provide such notice as
7 is practicable.

8 * * *

9 Section 4. Section 4.29.070 of the Seattle Municipal Code, enacted by Ordinance 125260,
10 is amended as follows:

11 **4.29.070 Medical certification requirement**

12 Except in the event of a qualifying death, medical ~~((Medical))~~ certification is required for paid
13 family care leave. The medical certification must be issued by the health care provider of the
14 eligible ~~((son, daughter,))~~ child, spouse/domestic partner, or parent, of the employee.

15 Certification should include:

16 A. The date on which the serious health condition commenced;

17 B. The probable duration of the condition;

18 C. The appropriate medical facts within the knowledge of the health care provider
19 regarding the condition; and

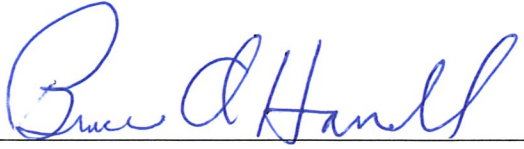
20 D. A statement that the eligible employee is needed to care for the ~~((son, daughter,))~~
21 child, spouse/domestic partner, or parent.

22 Except in the event of a qualifying death, the ~~((The))~~ City may require, at the expense of the
23 City, that the eligible employee obtain the opinion of a second health care provider designated or

1 approved by the City concerning any information certified as provided in this Section 4.29.070.
2 When the second opinion differs from the opinion in the original certification, the City may
3 require, at the expense of the City, that the employee obtain the opinion of a third care provider
4 designated or approved jointly by the City and the employee. The opinion of the third health care
5 provider concerning the information certified as provided in this Section 4.29.070 shall be
6 considered to be final and shall be binding on the City and the employee. The City may require
7 that the eligible employee obtain subsequent recertification on a reasonable basis.

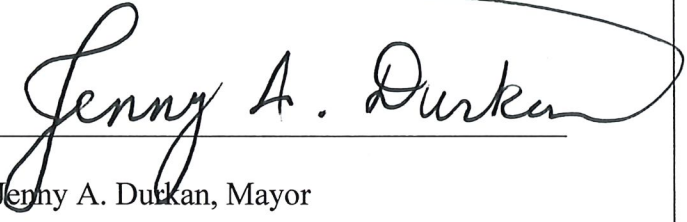
1 Section 5. This ordinance shall take effect and be in force 30 days after its approval by
2 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it
3 shall take effect as provided by Seattle Municipal Code Section 1.04.020.

4 Passed by the City Council the 3rd day of June, 2019,
5 and signed by me in open session in authentication of its passage this 3rd day of
6 June, 2019.

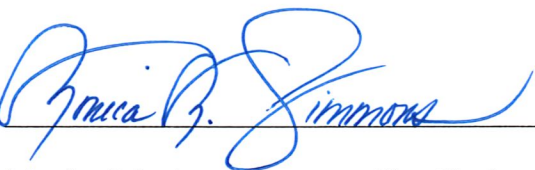
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8 President _____ of the City Council

9 Approved by me this 17th day of June, 2019.

10 
11 Jenny A. Durkan, Mayor

12 Filed by me this 17th day of JUNE, 2019.

13 
14 Monica Martinez Simmons, City Clerk

15 (Seal)

