	D2	
1	CITY OF SEATTLE	
2	ORDINANCE	
3	COUNCIL BILL	
4 5 6 7 8	 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. body WHEREAS, The City of Seattle (City) provides Paid Family Care Leave for the care of family 	
9	members; and	
10	WHEREAS, the City values all City employees and recognizes that the loss of a child at any age	
11	is devastating; and	
12	WHEREAS, City employees who lose a child are currently ineligible for both paid family care	
13	leave and paid parental leave; and	
14	WHEREAS, the change proposed below was first considered following the experience of City	
15	employee Rachel Alder, and her wife Erin Alder, whose daughter, Beatrice "Bea"	
16	Kathryn Alder passed away 36 hours after birth due to medical issues; and	
17	WHEREAS, under the City's current policy, Rachel Alder did not qualify for more than three	
18	days of leave; and	
19	WHEREAS, when an employee has lost a child, the City wants to provide access to Paid Family	
20	Care Leave; NOW, THEREFORE,	
21	BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:	
22	Section 1. Section 4.29.010 of the Seattle Municipal Code, enacted by Ordinance 125260,	
23	is amended as follows:	
24	4.29.010 Definitions	
25	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		

Dan Eder LEG 2019 Paid Family Care Leave Update ORD D2

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 of a qualifying death, to become eligible for paid family care leave, an employee must 13 14 ((and)) have the serious health condition certified by the health care provider of the ((son, t))15 daughter)) child, spouse/domestic partner, or parent of the employee or spouse/domestic partner. 16 In the 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		

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

Dan Eder LEG 2019 Paid Family Care Leave Update ORD D2

	D2		
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 Mun	icipal Code Section 1.04.020.	
4	Passed by the City Council the	day of, 2019,	
5	and signed by me in open session in authent	ication of its passage this day of	
6	, 2019.		
7			
8		President of the City Council	
9	Approved by me this day	of, 2019.	
10			
11		Jenny A. Durkan, Mayor	
12	Filed by me this day of	, 2019.	
13			
14		Monica Martinez Simmons, City Clerk	
15	(Seal)		