



ORDINANCE NO. 28735

1 AN ORDINANCE relating to pay and compensation; amending Chapter 1.12 of
 2 the Tacoma Municipal Code by amending Sections 1.12.230, 1.12.232,
 3 and 1.12.248 thereof to implement changes to family member definitions
 when related to the use of paid sick leave and personal time off, to become
 effective retroactive to February 15, 2021.

4 WHEREAS Washington State’s Paid Family Medical Leave (“PFML”)
 5 program includes a child’s spouse in the definition of qualified family members, and

6 WHEREAS the City’s Family and Medical Leave Act and Mandatory Paid
 7 Sick Leave policies, and applicable sick leave and personal time off Code
 8 provisions need to be updated in order to be consistent with the PFML, and

9 WHEREAS the proposed amendments to Chapter 1.12 of the Tacoma
 10 Municipal Code will become effective retroactive to February 15, 2021; Now,

11 Therefore,

12 BE IT ORDAINED BY THE CITY OF TACOMA:

13 Section 1. That Section 1.12.230 of the Tacoma Municipal Code (“TMC”) is
 14 hereby amended, effective retroactive to February 15, 2021, to read as follows:

15 **1.12.230 Sick allowance with pay.**

16 * * *

17 j. Sick leave may be used to allow the employee to provide care for a family member with a
 18 mental or physical illness, injury, or health condition; or care for a family member who needs
 19 preventive medical care. For purposes of this section, “family member” means any of the
 20 following:

21 (1) A child, including a biological, adopted, or foster child, a stepchild, or a child to whom the
 22 employee stands in loco parentis, is a legal guardian, or is a de facto parent, regardless of age or
 dependency status.

23 (2) A biological, adoptive, de facto, or foster parent, stepparent, or legal guardian of an employee
 24 or the employee’s spouse or registered domestic partner, or a person who stood in loco parentis to
 an employee when the employee was a minor child.

25 (3) A spouse.

26 (4) A registered domestic partner.



1 (5) A grandparent.

2 (6) A grandchild.

3 (7) A sibling.

4 (8) A daughter-in-law or son-in-law.

5 * * *

6 Section 2. That Section 1.12.232 of the TMC is hereby amended, effective
7 retroactive to February 15, 2021, to read as follows:

8 **1.12.232 Sick allowance with pay – LEOFF I Police and Fire personnel.**

9 * * *

10 2. Use of Paid Sick Leave.

11 * * *

12 d. Sick leave may be used to allow the employee to provide care for a family member with a mental
13 or physical illness, injury, or health condition; or care for a family member who needs preventive
14 medical care. For purposes of this section, “family member” means any of the following:

15 (1) A child, including a biological, adopted, or foster child, a stepchild, or a child to whom the
16 employee stands in loco parentis, is a legal guardian, or is a de facto parent, regardless of age or
17 dependency status.

18 (2) A biological, adoptive, de facto, or foster parent, stepparent, or legal guardian of an employee or
19 the employee’s spouse or registered domestic partner, or a person who stood in loco parentis to an
20 employee when the employee was a minor child.

21 (3) A spouse.

22 (4) A registered domestic partner.

23 (5) A grandparent.

24 (6) A grandchild.

25 (7) A sibling.

26 (8) A daughter-in-law or son-in-law.

* * *

Section 3. That Section 1.12.248 of the TMC is hereby amended, effective
retroactive to February 15, 2021, to read as follows:

1.12.248 Personal Time Off plan.

* * *

B. Permissible use of PTO accruals.

* * *



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

4. An employee is allowed to use any or all of the employee’s choice of paid sick leave or PTO to allow the employee to provide care for a family member with a mental or physical illness, injury, or health condition; or to care for a family member who needs preventive medical care. For purposes of this section, “family member” means any of the following:

- (1) A child, including a biological, adopted, or foster child, a stepchild, or a child to whom the employee stands in loco parentis, is a legal guardian, or is a de facto parent, regardless of age or dependency status.
- (2) A biological, adoptive, de facto, or foster parent, stepparent, or legal guardian of an employee or the employee’s spouse or registered domestic partner, or a person who stood in loco parentis to an employee when the employee was a minor child.
- (3) A spouse.
- (4) A registered domestic partner.
- (5) A grandparent.
- (6) A grandchild.
- (7) A sibling.
- (8) A daughter-in-law or son-in-law.

Section 4. That the effective date for Sections 1, 2, and 3 is retroactive to February 15, 2021.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney