

RCW 73.16.061 Enforcement of provisions. (1) If any employer, or any employer's successor or successors, fails or refuses to comply with the provisions of RCW 73.16.031 through 73.16.061 and 73.16.090, the attorney general must bring action in the superior court in the county in which the employer is located or does business to obtain an order to specifically require such employer to comply with the provisions of this chapter, and, as an incident thereto, to compensate such person for any loss of wages or benefits suffered by reason of such employer's unlawful act if:

(a) The service in question was state duty not covered by the uniformed services employment and reemployment rights act of 1994, P.L. 103-353 (38 U.S.C. Sec. 4301 et seq.); and

(b) The adjutant general of the Washington state military department, or his or her designee, has inquired with the employer regarding the matter and has been unable to resolve it.

(2) If the conditions in subsection (1)(a) and (b) of this section are met, any such person who does not desire the services of the attorney general may, by private counsel, bring such action. [2016 c 12 s 1; 2013 c 23 s 190; 2001 c 133 s 10; 1953 c 212 s 6.]

Effective date—2001 c 133: See note following RCW 73.16.005.