

Chapter 49.100 RCW
LEGISLATIVE SERVICE LEAVE—PUBLIC EMPLOYMENT

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RCW 49.100.005 Intent—2022 c 271. (1) The Washington state legislature is purposefully designed to be a part-time legislature to provide people from all areas of life the opportunity to participate. All businesses and industries, in the private and public sector, benefit when the legislature is made up of the broadest possible representation.

(2) It is a significant public policy to encourage citizens to serve in the legislature.

(3) Other states have enacted legislation addressing the duties and responsibilities of legislators and prospective legislators in relation to their regular employment. It is the intent of chapter 271, Laws of 2022 to address potential uncertainties that can occur between employers and employees who are part-time legislators because of the time requirements of the legislature. [2022 c 271 s 1.]

RCW 49.100.010 "Employer" defined. For the purposes of this chapter, "employer" means: (1) The state, state institutions, and state agencies; and (2) any unit of local government including, but not limited to, a county, city, town, municipal corporation, quasi-municipal corporation, or political subdivision. [2022 c 271 s 2.]

RCW 49.100.020 Employer must grant a temporary leave of absence to an employee performing an official duty as a member of the legislature. (1) An employer must grant a temporary leave of absence without loss of job status or seniority to an employee who is a member of the state legislature in order for that employee to perform any official duty as a member of the legislature during regular and special legislative sessions.

(2) The leave of absence under this chapter may be unpaid leave. However, an employee may elect to substitute any accrued paid leave to which the employee is entitled for any part of the leave provided under this chapter.

(3) An employer may not discharge or threaten to discharge an employee for taking a leave of absence under this chapter. [2022 c 271 s 3.]

RCW 49.100.030 Employee must provide notice of intent to take leave. (1) An employee who seeks leave under this chapter must provide the employer with notice of the employee's intention to take leave at least 30 days before a regular legislative session.

(2) When a special legislative session is called, the employee must provide notice to the employer as soon as the governor or legislature proclaims the special legislative session. [2022 c 271 s 4.]

RCW 49.100.040 Violation of chapter—Civil action authorized.

If an employer violates the provisions of this chapter, the employee may only bring a civil action, at his or her own expense, in superior court for an order requiring the reinstatement of the employee. Public resources may not be used, directly or indirectly, to bring or maintain a civil action under this section. [2022 c 271 s 5.]