

FINAL BILL REPORT

SHB 1938

C 247 L 05

Synopsis as Enacted

Brief Description: Addressing the employment and retirement rights of members of the armed forces called to active duty.

Sponsors: By House Committee on Appropriations (originally sponsored by Representatives Hinkle, Darneille, Morrell, Ericks and O'Brien).

House Committee on Appropriations
Senate Committee on Ways & Means

Background:

While all of Washington's state-sponsored retirement systems provide credit for interruptive military service, only two plans provide military service credit for non-interruptive military service. Non-interruptive military service credit, often referred to as prior military service credit, applies to military service before joining PERS 1 or the Washington State Patrol Retirement System Plan 1, for up to 5 years of credit after 25 years of plan membership, and after the member pays the full actuarial value of the service credit. The Teachers' Retirement Service 1 members are not authorized to receive credit for prior military service.

Federal law provides employment and re-employment rights to members of the military, including the federal Uniformed Services Employment and Reemployment Rights Act (USERRA), and Washington law is currently in conformance with these federal requirements. The USERRA addresses the rights of employees to benefits, including pension benefits, upon reemployment with their employers after serving in the military.

Summary:

The definition of "veteran" used for both interruptive and non-interruptive military service credit in PERS 1 is amended to include Operation Noble Eagle, Operation Enduring Freedom, and Operation Iraqi Freedom.

A member of PERS 1 qualifies for non-interruptive military service credit while a member is actively serving honorably, in addition to after being honorably discharged, or being discharged for physical reasons with an honorable record.

A member of PERS 1 qualifies for military service credit after completing 25 years of creditable service without returning to covered employment. A member who would have become eligible for a retirement benefit if they had continued working for a PERS 1 employer for a period that he or she is serving as a veteran may apply to the Department of Retirement Systems for military service credit.

Votes on Final Passage:

House	94	0	
Senate	47	0	(Senate amended)
House	98	0	(House concurred)

Effective: May 3, 2005