

SENATE BILL REPORT

SHB 2730

As Reported by Senate Committee On:
State Government, Tribal Relations & Elections, February 28, 2020

Title: An act relating to military spouse employment.

Brief Description: Addressing military spouse employment.

Sponsors: House Committee on Civil Rights & Judiciary (originally sponsored by Representatives Kilduff, Ryu, Klippert, Appleton, Caldier, Davis, Leavitt and Ormsby).

Brief History: Passed House: 2/13/20, 97-0.

Committee Activity: State Government, Tribal Relations & Elections: 2/26/20, 2/28/20 [DP].

Brief Summary of First Substitute Bill

- Initiates a demonstration campaign to increase military spouse employment.
- Allows a military spouse to terminate an employment contract without penalty when the servicemember spouse receives permanent change of station orders.

SENATE COMMITTEE ON STATE GOVERNMENT, TRIBAL RELATIONS & ELECTIONS

Majority Report: Do pass.

Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Muzzall, Assistant Ranking Member; Hasegawa, Hawkins and Takko.

Staff: Samuel Brown (786-7470)

Background: Washington Service Members' Civil Relief Act. The Washington Service Members' Civil Relief Act (WSCRA) provides certain rights for service members who are under a call to active service, authorized by either the President of the United States or the Governor, for a period of more than 30 consecutive days. For purposes of the WSCRA, "service member" means an active member of the United States Armed Forces, a member of a military reserve component, or a member of the National Guard who is either stationed in,

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or a resident of, Washington. The WSCRA also extends these rights to certain dependents of the service member.

A service member or dependent may bring a civil action for a violation of the WSCRA to obtain equitable or declaratory relief, monetary damages, and other appropriate relief. In addition, the court may award the costs of the action and reasonable attorneys' fees to a service member or dependent who prevails in the action. The Attorney General may also bring a civil action to enforce the WSCRA against a person that engages in a pattern or practice of violations or engages in a violation that raises an issue of significant public purpose. The court may assess a civil penalty of up to \$55,000 for a first violation and up to \$110,000 for subsequent violations grant equitable or declaratory relief, monetary damages, and other appropriate relief, including costs and reasonable attorneys' fees.

Washington Department of Veterans' Affairs. The Washington Department of Veterans' Affairs (DVA) was created in 1975. Many powers, duties, and functions vested with the Department of Social and Health Services related to veterans and veteran affairs were transferred to DVA. Powers, duties, and functions were also transferred from the State Treasurer, including cooperation with local and federal governments, particularly relating to federal grants-in-aid programs. DVA provides many services and benefits to veterans and their families, including counseling, employment, education, training, burial, and relief programs.

Summary of Bill: Demonstration Campaign. DVA, Employment Security Department (ESD), and Department of Commerce (Commerce) must consult local chambers of commerce, associate development organizations, and businesses to develop a statewide plan to increase military spouse employment. Businesses may share information about military spouse employment with local chambers of commerce, who may provide this information to DVA. Participants in plan development are encouraged to work with the Washington State Military Transition Council and county veterans advisory boards. Funds used for the plan must be from existing resources.

DVA, ESD, and Commerce must submit a joint report to the Legislature and the Joint Committee on Veterans' and Military Affairs on the progress of the military spouse employment plan by December 1, 2020, including documentation of any findings, next steps, and any policy recommendations.

Employment Contracts. A spouse of a service member with military service orders for a permanent change of station (PCS orders) may terminate an employment contract without penalty if the employer is provided written notice of the termination and written proof of the PCS orders. An employer may not impose a penalty for termination of an employment contract due to a military spouse's PCS orders. These provisions do not alter any terms, conditions, or practices in a collective bargaining agreement in effect on the effective date of the act.

The provisions only apply to employment contracts entered into on or after the effective date of the act.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: This will ensure military spouses coming to and leaving Washington have as much support as possible on the employment front. Military spouses are part of a team serving our country who sacrifice an opportunity to earn an income and education. This will positively impact the economy and contribute to military readiness. Greater coordination will help military spouses find work that matches their training faster. Service members can serve more easily when they know their spouses are taken care of at home. This will help spouses seek employment where contracts might otherwise have been a deterrent. For every military spouse who leaves a job, there are several others qualified to take over immediately. The bill provides critical protections and opens a pool of opportunities military spouses would not otherwise consider.

Persons Testifying: PRO: Representative Christine Kilduff, Prime Sponsor; Sarah Luna, South Sound Military & Communities Partnership; Shane Inman, Veterans Legislative Coalition; Tanja Struyck-Fogleman, citizen; Whitney Stafford, citizen.

Persons Signed In To Testify But Not Testifying: No one.