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**HOUSE BILL 1878**

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**State of Washington 68th Legislature 2024 Regular Session**

**By** Representatives Low, Schmidt, Leavitt, Eslick, Stearns, Robertson, Sandlin, Couture, Waters, Connors, McClintock, Slatter, Graham, Jacobsen, Davis, and Griffey

AN ACT Relating to preserving seniority for state employees who are reemployed; and adding a new section to chapter 41.04 RCW.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec.**  A new section is added to chapter 41.04 RCW to read as follows:

(1) The definitions in this subsection apply throughout this section unless context clearly requires otherwise.

(a) "Employer" means the executive branch agency of the state that reemploys the rehired employee.

(b) "Rehired employee" means an employee who was formerly employed by an executive branch agency of the state as a permanent employee and who is reemployed by the same employer.

(2)(a) For the purposes of determining seniority, when an employer chooses to reemploy a rehired employee, the employer must reemploy the rehired employee at a seniority level that includes the rehired employee's length of unbroken service time when the rehired employee was previously employed. The rehired employee's seniority date must be adjusted to account for the unbroken service time when the rehired employee was previously employed with the same employer.

(b) The employer must apply the seniority adjustment under this section when the following conditions are met:

(i) The employer reemploys the rehired employee within seven years of the date the rehired employee separated from the employer; and

(ii) The employer reemploys the rehired employee at the same or equivalent position or job classification and in the same geographic area the rehired employee held before separation.

(3) If an employer fails to comply with the provisions of this section, the attorney general must bring an action in the superior court in the county in which the employer is located to obtain an order specifically requiring the employer to comply with the provisions of this section, and if appropriate, to compensate the rehired employee for any loss of wages or benefits suffered by reason of the employer's noncompliance.

(4) This section does not require a party to a collective bargaining agreement in existence on the effective date of this section to reopen negotiations of the agreement or apply any rights and responsibilities under this section, unless and until the existing agreement is reopened or renegotiated by the parties.

(5) This section does not affect how service credits are determined for the purposes of the public employee's retirement system.

(6) This section does not affect any rights or obligations of the rehired employee or employer under any state or federal laws regarding leave.

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