
HOUSE BILL 1878

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

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

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 41.04
5 RCW to read as follows:

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

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

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

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

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

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

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

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

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

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

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

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