

WAC 296-135-110 Employer's duty after employee returns from leave. (1) Upon an employee's return from leave under RCW 49.76.030 and these rules, an employer shall either:

(a) Restore the employee to the position of employment held by the employee when the leave commenced; or

(b) Restore the employee to an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment.

(2) The provisions of subsection (1) of this section do not apply if:

(a) The employee works for a staffing company and is assigned to work on a temporary basis for another organization that directs and supervises the employee to:

(i) Support or supplement the other organization's workforce; or

(ii) Provide assistance in special work situations such as, but not limited to:

(A) Employee absences; and

(B) Skill shortages; and

(C) Seasonal workloads; and

(D) Special assignments and projects; or

(b) The employee:

(i) Was hired for a specific term, or only to perform work on a discrete project; and

(ii) The employment term or project is over, and the employer would not otherwise have continued to employ the employee.

[Statutory Authority: Chapter 49.76 RCW and 2008 c 286. WSR 10-14-099, § 296-135-110, filed 7/6/10, effective 9/1/10.]