
Commerce & Labor Committee

HB 1285

Brief Description: Providing for reemployment in temporary positions following service in the uniformed services.

Sponsors: Representatives Campbell, Veloria, Chase and Bush.

Brief Summary of Bill

- Extends reemployment rights under state law to persons who left temporary positions for specified types of military service.

Hearing Date: 2/3/03

Staff: Jill Reinmuth (786-7134).

Background:

Both federal and state law provide reemployment rights to persons following specified types of military service. If the person's prior employment was for a brief, non-recurrent period and there was no reasonable expectation that the employment relationship would continue indefinitely, federal law does not require reemployment.

If the person left a temporary position, state law does not require reemployment. A temporary position is one that is of short duration which, after it is vacated, ceases to exist and wherein the employee has been advised as to its temporary nature prior to his or her engagement. In a proceeding to determine whether employment was in a temporary position, the employer has the burden of proving the brief or nonrecurrent nature of the employment without a reasonable expectation of continuing indefinitely or for a significant period.

Summary of Bill:

Reemployment rights under state law are extended to persons who left temporary positions for specified types of military service.

Rules Authority: The bill does not address the rule-making powers of an agency.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect ninety days after adjournment of session in which bill is passed.