
SECOND SUBSTITUTE SENATE BILL 6578

State of Washington

58th Legislature

2004 Regular Session

By Senate Committee on Ways & Means (originally sponsored by Senators Roach, Berkey, Schmidt, Keiser, Murray, Shin, Oke, Rasmussen and Benton)

READ FIRST TIME 03/01/04.

1 AN ACT Relating to military leave for public employees; and
2 amending RCW 38.40.060.

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

4 **Sec. 1.** RCW 38.40.060 and 2001 c 71 s 1 are each amended to read
5 as follows:

6 ~~((Every officer and employee of the state or of any county, city,~~
7 ~~or other political subdivision thereof who is a member of the~~
8 ~~Washington national guard or of the army, navy, air force, coast guard,~~
9 ~~or marine corps reserve of the United States, or of any organized~~
10 ~~reserve or armed forces of the United States shall be entitled to and~~
11 ~~shall be granted military leave of absence from such employment for a~~
12 ~~period not exceeding fifteen days during each year beginning October~~
13 ~~1st and ending the following September 30th. Such leave shall be~~
14 ~~granted in order that the person may report for active duty, when~~
15 ~~called, or take part in active training duty in such manner and at such~~
16 ~~time as he or she may be ordered to active duty or active training~~
17 ~~duty. Such military leave of absence shall be in addition to any~~
18 ~~vacation or sick leave to which the officer or employee might otherwise~~
19 ~~be entitled, and shall not involve any loss of efficiency rating,~~

1 ~~privileges, or pay. During the period of military leave, the officer~~
2 ~~or employee shall receive from the state, or the county, city, or other~~
3 ~~political subdivision, his or her normal pay.)) Public employees who~~
4 ~~are members of the Washington national guard or of the army, navy, air~~
5 ~~force, coast guard, or marine corps reserve of the United States, or of~~
6 ~~any organized reserve or armed forces of the United States are entitled~~
7 ~~to and shall be granted military leave of absence from their employment~~
8 ~~as follows:~~

9 (1) Every officer and employee of the state or of any county, city,
10 or other political subdivision thereof is entitled to military leave
11 for a period not exceeding fifteen days during each year beginning
12 October 1st and ending the following September 30th. This leave shall
13 be granted in order that the person may report for active duty, when
14 called, or take part in active training duty in the manner and at the
15 time as he or she may be ordered to active duty or active training
16 duty. This military leave of absence is in addition to any vacation or
17 sick leave to which the officer or employee might otherwise be
18 entitled, and shall not involve any loss of efficiency rating,
19 privileges, or pay. During the period of military leave, the officer
20 or employee shall receive from the state, or the county, city, or other
21 political subdivision, his or her normal pay.

22 (2)(a) Every officer and employee of the state, excepting only
23 temporary employees and employees of school districts and educational
24 service districts, who is mobilized under Title 10 or 32 of the United
25 States Code for a period exceeding thirty days, is entitled to and
26 shall be granted, in addition to the military leave of absence provided
27 in subsection (1) of this section, military leave of absence from their
28 employment for a period not exceeding two years. This leave shall be
29 granted in order that the person may report for active duty. This
30 military leave of absence is in addition to any vacation or sick leave
31 to which the officer or employee might otherwise be entitled, and shall
32 not involve any loss of efficiency rating or privileges. During the
33 period of military leave, if the combined military pay and allowances
34 of the officer or employee are less than his or her normal pay from the
35 state, then he or she shall receive as compensation from the employing
36 agency one-half of the difference.

37 (b) "Normal pay," for the purposes of this subsection, means an
38 employee's regular pay, increased by any step or merit increase and

1 cost-of-living adjustments as and when appropriate, calculated using
2 the average number of hours per pay period that the employee worked
3 over the six-month period immediately preceding mobilization.

4 (3) The department of personnel shall adopt rules necessary to
5 implement this section.

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