
HOUSE BILL 3035

State of Washington

58th Legislature

2004 Regular Session

By Representatives Darneille, Benson, Rodne, Hunt, Romero, O'Brien, Simpson, G., Morrell, Linville, Fromhold, Lovick, Conway, Rockefeller, Chase and Lantz

Read first time 01/26/2004. Referred to Committee on State Government.

1 AN ACT Relating to compensation and benefits for state employees on
2 active military duty; and 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 (1) 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)~~) is entitled
11 to and shall be granted military leave of absence from such employment
12 for a period not exceeding fifteen days during each year beginning
13 October 1st and ending the following September 30th. Such leave shall
14 be granted (~~(in order)~~) so that the person may report for active duty,
15 when called, or take part in active training duty in such manner and at
16 such time as he or she may be ordered to active duty or active training
17 duty. Such military leave of absence (~~(shall be)~~) is in addition to
18 any vacation or sick leave to which the officer or employee might
19 otherwise be entitled, and shall not involve any loss of efficiency

1 rating, privileges, or pay. During the period of military leave, the
2 officer or employee shall receive from the state, or the county, city,
3 or other political subdivision, his or her normal pay.

4 (2) If, on or after July 1, 2004, an officer or employee of the
5 state is called to service in the uniformed services, as those terms
6 are defined in chapter 73.16 RCW, for a period exceeding fifteen days,
7 the officer or employee shall receive from the state the difference
8 between his or her normal pay while employed by the state and his or
9 her normal pay while serving in the uniformed services if the pay while
10 serving in the uniformed services is less than the pay while employed
11 by the state. The officer or employee shall also continue to receive
12 from the state any pension, retirement, health insurance, or life
13 insurance benefits he or she was receiving prior to being called to
14 service in the uniformed services as long as he or she continues to
15 make any necessary employee contributions to those benefits that he or
16 she would be making if still regularly employed by the state. Payment
17 and benefits provided under this subsection shall not exceed four
18 years.

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