
HOUSE BILL 2473

State of Washington 63rd Legislature 2014 Regular Session

By Representatives Lias, Rodne, Sells, Reykdal, Pollet, and Freeman

Read first time 01/17/14. Referred to Committee on Government Operations & Elections.

1 AN ACT Relating to encouraging citizens to serve in the legislature
2 by creating leave provisions for legislative service; and adding a new
3 chapter to Title 49 RCW.

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

5 NEW SECTION. **Sec. 1.** (1) The Washington state legislature is
6 purposefully designed to be a part-time legislature to provide people
7 from all areas of life the opportunity to participate. All businesses
8 and industries, in the private and public sector, benefit when the
9 legislature is made up of the broadest possible representation.

10 (2) It is a significant public policy to encourage citizens to
11 serve in the legislature. However, serving as a legislator is often
12 demanding and time consuming, and most legislators have other
13 employment to support themselves and their families.

14 (3) Other states have enacted legislation addressing the duties and
15 responsibilities of legislators and prospective legislators in relation
16 to their regular employment. It is the intent of this act to address
17 potential uncertainties that can occur between employers and employees
18 who are part-time legislators because of the time requirements of the
19 legislature.

1 NEW SECTION. **Sec. 2.** Unless the context clearly requires
2 otherwise, the definitions in this section apply throughout this
3 chapter.

4 (1) "Employer" means: (a) Any person, association, partnership, or
5 private or public corporation that employs or exercises control over
6 wages, hours, or working conditions of ten or more employees; (b) the
7 state, state institutions, and state agencies; and (c) any unit of
8 local government including, but not limited to, a county, city, town,
9 municipal corporation, quasi-municipal corporation, or political
10 subdivision.

11 (2) "Prospective member" means a person who is certified or
12 appointed to serve in the legislature but who has not taken the oath of
13 office.

14 NEW SECTION. **Sec. 3.** (1) An employer must grant a temporary leave
15 of absence without loss of job status or seniority to an employee who
16 is a member or prospective member of the state legislature in order for
17 that employee to perform any official duty as a member of the
18 legislature during regular and special legislative sessions.

19 (2) The leave of absence under this chapter may be unpaid leave.
20 However, an employee may elect to substitute any accrued paid leave to
21 which the employee is entitled for any part of the leave provided under
22 this chapter.

23 (3) An employer may not discharge or threaten to discharge an
24 employee for taking a leave of absence under this chapter.

25 NEW SECTION. **Sec. 4.** (1) An employee who seeks leave under this
26 chapter must provide the employer with notice of the employee's
27 intention to take leave at least thirty days before a regular
28 legislative session.

29 (2) When a special legislative session is called, the employee must
30 provide notice to the employer as soon as the governor or legislature
31 proclaims the special legislative session.

32 NEW SECTION. **Sec. 5.** (1) If an employer violates the provisions
33 of this chapter, the employee may bring a civil action, at his or her
34 own expense, in superior court for damages and for an order requiring
35 the reinstatement of the employee. If the employee prevails, the

1 employee is entitled to costs and reasonable attorneys' fees. Public
2 resources may not be used, directly or indirectly, to bring or maintain
3 a civil action under this section.

4 (2) The remedy provided in this section is in addition to any
5 common law remedy or other remedy that may be available to the
6 employee.

7 NEW SECTION. **Sec. 6.** Sections 1 through 5 of this act constitute
8 a new chapter in Title 49 RCW.

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