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**SENATE BILL 5680**

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**State of Washington**

**67th Legislature**

**2022 Regular Session**

**By** Senators McCune, Fortunato, Padden, Short, Wagoner, J. Wilson, and L. Wilson

Prefiled 01/05/22. Read first time 01/10/22. Referred to Committee on Labor, Commerce & Tribal Affairs.

1 AN ACT Relating to restoring the jobs and volunteer positions of  
2 individuals who were terminated from employment despite exercising  
3 their personal medical and religious rights; and creating new  
4 sections.

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

6 NEW SECTION. **Sec. 1.** The legislature finds that thousands of  
7 Washingtonians were wrongfully terminated or pushed to resign from  
8 their jobs or volunteer positions due to the governor's proclamation  
9 21-14, COVID-19 vaccination requirement. The legislature hereby  
10 disapproves of the governor's policy and intends to restore  
11 wrongfully terminated Washingtonians to their jobs or volunteer  
12 positions if they choose to return. The legislature finds that this  
13 policy is consistent with the individual rights to religious liberty  
14 and bodily integrity that Washingtonians sought to exercise before  
15 they were wrongfully terminated under proclamation 21-14. These  
16 rights are secured by, among other laws, the First Amendment to the  
17 United States Constitution; the Fourteenth Amendment to the United  
18 States Constitution; Title VII of the Civil Rights Act of 1964; Title  
19 I of the Americans with Disabilities Act of 1990; and Article I,  
20 section 11 of the state Constitution. The legislature also finds that  
21 many Washingtonians who have exercised the right to decline

1 vaccination may have developed natural immunity to COVID-19, and that  
2 such immunity is superior to vaccination for preventing COVID-19.

3 NEW SECTION. **Sec. 2.** (1) Proclamation 21-14, and all subsequent  
4 versions, shall be deemed terminated on the effective date of this  
5 section. The governor shall rescind proclamation 21-14, and all  
6 subsequent versions, consistent with this section.

7 (2) Every employer that was subject to proclamation 21-14 when it  
8 was in effect shall offer to restore to employment any employee or  
9 volunteer who was terminated or resigned due to proclamation 21-14.  
10 Employees and volunteers who choose to return to employment or  
11 volunteer work must be provided with the same position, compensation,  
12 benefits, work responsibilities, and all other similar rights and  
13 obligations, as they maintained at the time of their separation from  
14 employment or volunteer work under proclamation 21-14.

15 (3) Any employee who would be entitled to return to work under  
16 this section, but who chooses not to exercise that right, is eligible  
17 to receive benefits as defined in RCW 50.04.040, and as otherwise  
18 consistent with chapter 50.04 RCW.

19 NEW SECTION. **Sec. 3.** (1) An employer that is subject to this  
20 act may not terminate another employee to reopen the position of a  
21 person who is entitled to employment or a volunteer position under  
22 this act.

23 (2) This act may not be construed to protect an employee or  
24 volunteer whose job or position was restored under this act from  
25 being terminated or disciplined by his or her employer or supervisor  
26 for unsatisfactory work conduct or any other reason unrelated to  
27 proclamation 21-14.

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