Employers are generally required to reemploy members of the uniformed services following completion of their service obligation, provided that the service member:

• Gave advance verbal or written notice;
• Satisfactorily completed their obligation under honorable conditions; and
• Returns to work or applies for reemployment in a timely manner, which depends upon the nature and length of service.

Employers must reemploy a service member to his or her former position, or a position comparable in seniority, status and pay.

Employers may not deny members of the uniformed services any of the following because of their military service:

• Initial employment;
• Retention in employment;
• Reemployment;
• Promotion; or
• Any benefit of employment.

Employers may not use a person’s past, present, or future membership in the uniformed services as a motivating factor for an adverse employment action.

Employers may not retaliate against anyone assisting or participating in the enforcement of these rights, even if that person has no service connection.

Under state law, employers must allow employees who are members of the uniformed services to take unpaid leave as may be necessary for deployment, training, or any other absence due to a military order. Employees must usually provide advance verbal or written notice of their service. Although there is no minimum period of advance notice, it is a good practice to give as much notice as possible.

Employers are not allowed to require employees to use earned vacation or similar leave for military-related absences. Employers cannot require employees to find their own replacements for military-related absences.

Accommodating Military Service

State law (Chapter 73.16 RCW) protects the employment rights of individuals with military service obligations under state authority, such as members of the National Guard ordered to state active duty.

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Employers are not allowed to require employees to use earned vacation or similar leave for military-related absences. Employers cannot require employees to find their own replacements for military-related absences.

Retaliation & Discrimination Prohibited

Employers may not deny members of the uniformed services any of the following because of their military service:

• Initial employment;
• Retention in employment;
• Reemployment;
• Promotion; or
• Any benefit of employment.

Employers may not use a person’s past, present, or future membership in the uniformed services as a motivating factor for an adverse employment action.

Employers may not retaliate against anyone assisting or participating in the enforcement of these rights, even if that person has no service connection.

Reemployment Required

Employers are generally required to reemploy members of the uniformed services following completion of their service obligation, provided that the service member:

• Gave advance verbal or written notice;
• Satisfactorily completed their obligation under honorable conditions; and
• Returns to work or applies for reemployment in a timely manner, which depends upon the nature and length of service.

Employers must reemploy a service member to his or her former position, or a position comparable in seniority, status and pay.

Enforcement

The Washington Attorney General’s Office can enforce state law violations after an inquiry has been made by the state’s Adjutant General. Visit www.atg.wa.gov/Veteran-and-Military-Resources for more information.