

Two Employee Leave Acts Enacted in State of Washington



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Employees working in the state of Washington now have access to two additional types of leave. Signed into law March 19, 2008 and April 1, 2008 respectively, the Family Military Leave Act and the Domestic Violence/Sexual Assault Leave provide unpaid, job protected time off to employees.

Family Military Leave Act

The Family Military Leave Act is an amendment of a previous law in the State. Act SB 6447 allows an employee to take up to 15 days of unpaid leave when a spouse is deployed or is on leave from deployment during a military conflict. Military conflict is defined any time Congress has declared war, the President has declared war by Executive Order or when military reserves are called to active duty. The bill amended the maximum leave allowed for a public employee who is also a member of the Washington National Guard from 15 to 21 days per year (*October 1 through September 30*).

William Gallagher Associates, a leading provider of insurance brokerage, risk management and employee benefits services to firms with complex risks, within industries that include high technology, life sciences, financial risks, healthcare services, energy, and environmental services. WGA has offices in Boston, MA; New York, NY; Hartford, CT; Princeton, NJ; Columbia, MD; Atlanta, GA; and Paris, France.

Employers are defined as any corporation, partnership, etc that does business in the state of Washington, including state and local government. Employees must work an average of 20 hours per week to be eligible. Employees must provide notice to their employer within five business days of receiving official notice or call to active duty or deployment, or within five business days of official notice of the military spouse's upcoming leave from deployment. Each new deployment entitles the spouse to a new leave of up to 15 days. The amended Act will go into effect on June 12, 2008.

Domestic Violence/Sexual Assault Leave

The second leave, Domestic Violence/Sexual Assault Leave, effective immediately, provides unpaid leave with job protection for victims of domestic violence, sexual assault or stalking. The leave is also extended to family members who are victims of domestic violence, sexual assault or stalking. Family member is defined as child, spouse, parent, parent in law, grandparent or person in dating relationship. Maximum leave is only restricted to a 'reasonable' amount; no maximum days are defined in the law. Leave may be taken for the following reasons:

- To seek law enforcement or legal assistance or to participate in a legal proceeding related to domestic violence, sexual assault or stalking,
- To seek health care treatment for physical or mental injuries related to domestic violence, sexual assault or stalking (or to assist family member obtain treatment),

- To obtain services from a domestic violence shelter, rape crisis center or other social services related to domestic violence, sexual assault or stalking (or assist family member obtain services),
- To obtain (or assist family member obtain) mental health counseling related to domestic violence, sexual assault or stalking,
- To participate in safety planning, to temporarily or permanently relocate or to take other actions to increase the safety of the employee or family member relating to domestic violence, sexual assault or stalking.

Employees need to provide notice to employers no later than the end of the first day of leave. Verification of need can be in the form of police reports, court documents, or employee's written statement.

Employers with employees in the state of Washington should update their Leave Policies immediately to include these two new types of leave.

For more information on this new development as well as other services we can provide to you and your company, please contact your WGA Employee Benefits Account Executive.

