

Military Leave

Eligibility

The ESD will grant military leave as provided by law.

Employees may receive military leave without loss of pay for up to twenty one (21) days beginning October 1 and ending September 31, provided the employee has been called to or volunteered for active duty or active duty training.

The cumulative period of military service while employed by the ESD must not exceed five years, with the exception of time served in the event of a war or national emergency.

Employees, upon finding it necessary to be absent from their assigned duties for military active training, will notify their immediate supervisor at the earliest possible time prior to the time at which they normally report to work.

Employees with military service of less than five years are entitled to re-employment. The superintendent will adopt procedures to implement re-employment rights consistent with federal and state law.

Military Deployment Leave – Spouse

The ESD will allow an employee who is the spouse of a military member of the U.S. Armed Forces, National Guard, or Reserves to take up to fifteen (15) days of unpaid leave during a period of military conflict when:

- A. The military spouse is on leave from a deployment; or
- B. Prior to deployment once the military spouse receives official notification of an impending call or order to active duty.

The employee must work an average of twenty hours or more each week for the ESD.

The employee must provide the ESD notice of intent to take leave within five business days of the call to active duty or notice of leave from deployment.

Military Caregiver Leave

An employee who is the spouse, son, daughter, parent or next of kin of a service member who is recovering from a serious illness or injury sustained while on active duty will receive unpaid leave as provided in federal and state law to care for the service member.

Legal References:

RCW 38.40.060 Military leave for public employees.
Chapter 49.77 RCW Military family leave act.
Chapter 73.16 RCW Employment and reemployment.
AGO 1961No. 81 Public employees — State and municipal employees — Military leave — Reserve meetings.
38 USC 4301-4335 Uniformed services employment and reemployment rights act.

Adoption Date: **3-26-91**

Revised Dates: **12-14-01; 2-22-05; 1-1-17; 3-24-20**

Renumbered: **310 to 5407 1-1-17**