Washington's Expansion of Domestic Partnership Laws Scheduled to be Effective July 26, 2009 Labor & Employment Advisor — Summer 2009 By Jo Vestal

Signed by governor on May 18, 2009, this legislation is intended to expand Washington's domestic partnership law to require that state registered same sex couples be treated the same as married couples for all purposes, except marriage, under state law. Opponents are currently collecting signatures to block the implementation of this legislation.

There are some provisions of the law that do not take effect immediately, having primarily to do with pension rights. Generally, however, the legislation provides that for Washington laws, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be henceforth interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons. Thus, for example leave rights, under state law apply equally to spouses and domestic partners, the marital privilege protecting communications between spouses applies equally to communications between domestic partners, etc.

Employers should review their handbooks, benefits and policies for compliance with this legislation.