
SUBSTITUTE HOUSE BILL 2363

State of Washington **61st Legislature** **2009 Regular Session**

By House Ways & Means (originally sponsored by Representative Linville)

READ FIRST TIME 04/20/09.

1 AN ACT Relating to temporary suspension of cost-of-living increases
2 for educational employees; amending RCW 28A.400.205, 28B.50.465, and
3 28B.50.468; providing an effective date; and declaring an emergency.

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

5 **Sec. 1.** RCW 28A.400.205 and 2003 1st sp.s. c 20 s 1 are each
6 amended to read as follows:

7 (1) School district employees shall be provided an annual salary
8 cost-of-living increase in accordance with this section.

9 (a) The cost-of-living increase shall be calculated by applying the
10 rate of the yearly increase in the cost-of-living index to any state-
11 funded salary base used in state funding formulas for teachers and
12 other school district employees. Beginning with the 2001-02 school
13 year, and for each subsequent school year, except for the ((2003-04))
14 2009-10 and ((2004-05)) 2010-11 school years, each school district
15 shall be provided a cost-of-living allocation sufficient to grant this
16 cost-of-living increase.

17 (b) A school district shall distribute its cost-of-living
18 allocation for salaries and salary-related benefits in accordance with
19 the district's salary schedules, collective bargaining agreements, and

1 compensation policies. No later than the end of the school year, each
2 school district shall certify to the superintendent of public
3 instruction that it has spent funds provided for cost-of-living
4 increases on salaries and salary-related benefits.

5 (c) Any funded cost-of-living increase shall be included in the
6 salary base used to determine cost-of-living increases for school
7 employees in subsequent years. For teachers and other certificated
8 instructional staff, the rate of the annual cost-of-living increase
9 funded for certificated instructional staff shall be applied to the
10 base salary used with the statewide salary allocation schedule
11 established under RCW 28A.150.410 and to any other salary models used
12 to recognize school district personnel costs.

13 (d) During the 2011-2013 and 2013-2015 fiscal biennia, in addition
14 to cost-of-living allocations required by (a) of this subsection,
15 school districts shall receive additional cost-of-living allocations in
16 equal increments such that by the end of the 2014-15 school year school
17 district employee base salaries used with the statewide salary
18 allocation schedule established under RCW 28A.150.410 and any other
19 state salary models used to recognize school district personnel costs
20 are, at a minimum, equal to what they would have been if cost-of-living
21 allocations had not been suspended during the 2009-10 or 2010-11 school
22 years.

23 (2) For the purposes of this section, "cost-of-living index" means,
24 for any school year, the previous calendar year's annual average
25 consumer price index, using the official current base, compiled by the
26 bureau of labor statistics, United States department of labor for the
27 state of Washington. If the bureau of labor statistics develops more
28 than one consumer price index for areas within the state, the index
29 covering the greatest number of people, covering areas exclusively
30 within the boundaries of the state, and including all items shall be
31 used for the cost-of-living index in this section.

32 **Sec. 2.** RCW 28B.50.465 and 2003 1st sp.s. c 20 s 3 are each
33 amended to read as follows:

34 (1) Academic employees of community and technical college districts
35 shall be provided an annual salary cost-of-living increase in
36 accordance with this section. For purposes of this section, "academic
37 employee" has the same meaning as defined in RCW 28B.52.020.

1 (a) Beginning with the 2001-2002 fiscal year, and for each
2 subsequent fiscal year, except as provided in (d) of this subsection,
3 each college district shall receive a cost-of-living allocation
4 sufficient to increase academic employee salaries, including mandatory
5 salary-related benefits, by the rate of the yearly increase in the
6 cost-of-living index.

7 (b) A college district shall distribute its cost-of-living
8 allocation for salaries and salary-related benefits in accordance with
9 the district's salary schedules, collective bargaining agreements, and
10 other compensation policies. No later than the end of the fiscal year,
11 each college district shall certify to the college board that it has
12 spent funds provided for cost-of-living increases on salaries and
13 salary-related benefits.

14 (c) The college board shall include any funded cost-of-living
15 increase in the salary base used to determine cost-of-living increases
16 for academic employees in subsequent years.

17 (d) Beginning with the 2001-2002 fiscal year, and for each
18 subsequent fiscal year except for the ((2003-04)) 2009-2010 and ((2004-
19 05)) 2010-2011 fiscal years, the state shall fully fund the cost-of-
20 living increase set forth in this section.

21 (e) During the 2011-2013 and 2013-2015 fiscal biennia, in addition
22 to cost-of-living allocations required by (a) of this subsection,
23 community and technical college districts shall receive additional
24 cost-of-living allocations in equal increments such that, by the end of
25 the 2014-15 academic year, average salaries of academic employees of
26 community and technical college districts will be, at a minimum, equal
27 to what salaries would have been if cost-of-living allocations had not
28 been suspended during the 2009-10 or 2010-11 school years.

29 (2) For the purposes of this section, "cost-of-living index" means,
30 for any fiscal year, the previous calendar year's annual average
31 consumer price index, using the official current base, compiled by the
32 bureau of labor statistics, United States department of labor for the
33 state of Washington. If the bureau of labor statistics develops more
34 than one consumer price index for areas within the state, the index
35 covering the greatest number of people, covering areas exclusively
36 within the boundaries of the state, and including all items shall be
37 used for the cost-of-living index in this section.

1 **Sec. 3.** RCW 28B.50.468 and 2003 1st sp.s. c 20 s 4 are each
2 amended to read as follows:

3 (1) Classified employees of technical colleges shall be provided an
4 annual salary cost-of-living increase in accordance with this section.
5 For purposes of this section, "technical college" has the same meaning
6 as defined in RCW 28B.50.030. This section applies to only those
7 classified employees under the jurisdiction of chapter 41.56 RCW.

8 (a) Beginning with the 2001-2002 fiscal year, and for each
9 subsequent fiscal year, except as provided in (d) of this subsection,
10 each technical college board of trustees shall receive a cost-of-living
11 allocation sufficient to increase classified employee salaries,
12 including mandatory salary-related benefits, by the rate of the yearly
13 increase in the cost-of-living index.

14 (b) A technical college board of trustees shall distribute its
15 cost-of-living allocation for salaries and salary-related benefits in
16 accordance with the technical college's salary schedules, collective
17 bargaining agreements, and other compensation policies. No later than
18 the end of the fiscal year, each technical college shall certify to the
19 college board that it has spent funds provided for cost-of-living
20 increases on salaries and salary-related benefits.

21 (c) The college board shall include any funded cost-of-living
22 increase in the salary base used to determine cost-of-living increases
23 for technical college classified employees in subsequent years.

24 (d) Beginning with the 2001-2002 fiscal year, and for each
25 subsequent fiscal year except for the ((2003-2004)) 2009-2010 and
26 ((2004-2005)) 2010-2011 fiscal years, the state shall fully fund the
27 cost-of-living increase set forth in this section.

28 (e) During the 2011-2013 and 2013-2015 fiscal biennia, in addition
29 to cost-of-living allocations required by (a) of this subsection,
30 technical college districts shall receive additional cost-of-living
31 allocations in equal increments such that, by the end of the 2014-15
32 academic year, average salaries of classified employees of technical
33 college districts will be, at a minimum, equal to what salaries would
34 have been if cost-of-living allocations had not been suspended during
35 the 2009-10 or 2010-11 school years.

36 (2) For the purposes of this section, "cost-of-living index" means,
37 for any fiscal year, the previous calendar year's annual average
38 consumer price index, using the official current base, compiled by the

1 bureau of labor statistics, United States department of labor for the
2 state of Washington. If the bureau of labor statistics develops more
3 than one consumer price index for areas within the state, the index
4 covering the greatest number of people, covering areas exclusively
5 within the boundaries of the state, and including all items shall be
6 used for the cost-of-living index in this section.

7 NEW SECTION. **Sec. 4.** This act is necessary for the immediate
8 preservation of the public peace, health, or safety, or support of the
9 state government and its existing public institutions, and takes effect
10 July 1, 2009.

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