

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 1358

Chapter 92, Laws of 1991

52nd Legislature
1991 Regular Session

SCHOOL AND EDUCATIONAL SERVICE DISTRICTS--REMUNERATION
FOR UNUSED SICK LEAVE

EFFECTIVE DATE: 7/28/91

Passed by the House March 19, 1991
Yeas 98 Nays 0

JOE KING
Speaker of the
House of Representatives

Passed by the Senate April 12, 1991
Yeas 47 Nays 0

JOEL PRITCHARD
President of the Senate

Approved May 9, 1991

BOOTH GARDNER
Governor of the State of Washington

CERTIFICATE

I, Alan Thompson, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1358** as passed by the House of Representatives and the Senate on the dates hereon set forth.

ALAN THOMPSON
Chief Clerk

FILED

May 9, 1991 - 11:27 a.m.

Secretary of State
State of Washington

SUBSTITUTE HOUSE BILL 1358

Passed Legislature - 1991 Regular Session

State of Washington

52nd Legislature

1991 Regular Session

By House Committee on Appropriations (originally sponsored by Representatives Dorn, Holland, Neher, Peery, Sprenkle, Brumsickle, Rasmussen, Inslee, R. Meyers, Winsley, Edmondson, Mielke, Miller, Betrozoff, G. Fisher, Basich, Pruitt, Orr, H. Myers, Roland, Rayburn and Anderson).

Read first time March 11, 1991.

1 AN ACT Relating to school and educational service districts'
2 employee attendance incentive programs; and amending RCW 28A.310.490
3 and 28A.400.210.

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

5 **Sec. 1.** RCW 28A.310.490 and 1989 c 69 s 1 are each amended to read
6 as follows:

7 Every educational service district board of directors shall
8 establish an attendance incentive program for all certificated and
9 noncertificated employees in the following manner.

10 (1) In January of the year following any year in which a minimum of
11 sixty days of leave for illness or injury is accrued, and each January
12 thereafter, any eligible employee may exercise an option to receive
13 remuneration for unused leave for illness or injury accumulated in the
14 previous year at a rate equal to one day's monetary compensation of the
15 employee for each four full days of accrued leave for illness or injury

1 in excess of sixty days. Leave for illness or injury for which
2 compensation has been received shall be deducted from accrued leave for
3 illness or injury at the rate of four days for every one day's monetary
4 compensation. No employee may receive compensation under this section
5 for any portion of leave for illness or injury accumulated at a rate in
6 excess of one day per month.

7 (2) At the time of separation from educational service district
8 employment due to retirement or death an eligible employee or the
9 employee's estate shall receive remuneration at a rate equal to one
10 day's current monetary compensation of the employee for each four full
11 days accrued leave for illness or injury ((or, in lieu of monetary
12 compensation and with equivalent funds, a school district board of
13 directors may provide eligible employees postretirement medical
14 benefits)).

15 (3) In lieu of remuneration for unused leave for illness or injury
16 as provided for in subsections (1) and (2) of this section, an
17 educational service district board of directors may, with equivalent
18 funds, provide eligible employees a benefit plan that provides
19 reimbursement for medical expenses. Any benefit plan adopted after the
20 effective date of this act shall require, as a condition of
21 participation under the plan, that the employee sign an agreement with
22 the district to hold the district harmless should the United States
23 government find that the district or the employee is in debt to the
24 United States as a result of the employee not paying income taxes due
25 on the equivalent funds placed into the plan, or as a result of the
26 district not withholding or deducting any tax, assessment, or other
27 payment on such funds as required under federal law.

28 Moneys or ((~~postretirement medical~~)) benefits received under this
29 section shall not be included for the purposes of computing a
30 retirement allowance under any public retirement system in this state.

1 The superintendent of public instruction in its administration
2 hereof, shall promulgate uniform rules and regulations to carry out the
3 purposes of this section.

4 Should the legislature revoke any benefits granted under this
5 section, no affected employee shall be entitled thereafter to receive
6 such benefits as a matter of contractual right.

7 **Sec. 2.** RCW 28A.400.210 and 1989 c 69 s 2 are each amended to read
8 as follows:

9 Every school district board of directors may, in accordance with
10 chapters 41.56 and 41.59 RCW, establish an attendance incentive program
11 for all certificated and noncertificated employees in the following
12 manner, including covering persons who were employed during the 1982-
13 '83 school year: (1) In January of the year following any year in
14 which a minimum of sixty days of leave for illness or injury is
15 accrued, and each January thereafter, any eligible employee may
16 exercise an option to receive remuneration for unused leave for illness
17 or injury accumulated in the previous year at a rate equal to one day's
18 monetary compensation of the employee for each four full days of
19 accrued leave for illness or injury in excess of sixty days. Leave for
20 illness or injury for which compensation has been received shall be
21 deducted from accrued leave for illness or injury at the rate of four
22 days for every one day's monetary compensation. No employee may
23 receive compensation under this section for any portion of leave for
24 illness or injury accumulated at a rate in excess of one day per month.

25 (2) At the time of separation from school district employment due
26 to retirement or death an eligible employee or the employee's estate
27 shall receive remuneration at a rate equal to one day's current
28 monetary compensation of the employee for each four full days accrued
29 leave for illness or injury.

1 (3) In lieu of remuneration for unused leave for illness or injury
2 as provided in subsections (1) and (2) of this section, a school
3 district board of directors may, with equivalent funds, provide
4 eligible employees (~~((postretirement medical benefits))~~) a benefit plan
5 that provides reimbursement for medical expenses. Any benefit plan
6 adopted after the effective date of this act shall require, as a
7 condition of participation under the plan, that the employee sign an
8 agreement with the district to hold the district harmless should the
9 United States government find that the district or the employee is in
10 debt to the United States as a result of the employee not paying income
11 taxes due on the equivalent funds placed into the plan, or as a result
12 of the district not withholding or deducting any tax, assessment, or
13 other payment on such funds as required under federal law.

14 Moneys or (~~((postretirement medical))~~) benefits received under this
15 section shall not be included for the purposes of computing a
16 retirement allowance under any public retirement system in this state.

17 The superintendent of public instruction in its administration
18 hereof, shall promulgate uniform rules and regulations to carry out the
19 purposes of this section.

20 Should the legislature revoke any benefits granted under this
21 section, no affected employee shall be entitled thereafter to receive
22 such benefits as a matter of contractual right.

Passed the House March 19, 1991.

Passed the Senate April 12, 1991.

Approved by the Governor May 9, 1991.

Filed in Office of Secretary of State May 9, 1991.