
SENATE BILL 5994

State of Washington

54th Legislature

1995 Regular Session

By Senators West, Moyer, Deccio, Hochstatter, Oke, Finkbeiner, Palmer, Winsley, Johnson, Schow, Hale and Strannigan

Read first time 02/21/95. Referred to Committee on Ways & Means.

1 AN ACT Relating to the state employee attendance incentive program;
2 amending RCW 41.04.340; and providing an effective date.

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

4 **Sec. 1.** RCW 41.04.340 and 1993 c 281 s 17 are each amended to read
5 as follows:

6 (1) An attendance incentive program is established for all eligible
7 employees.

8 (2) As used in this section, the term "eligible employee" means any
9 employee of the state, other than teaching and research faculty at the
10 state and regional universities and The Evergreen State College,
11 entitled to accumulate sick leave and for whom accurate sick leave
12 records have been maintained, if the employee either:

13 (a) Has been in continuous state employment since September 1,
14 1995; or

15 (b) Is employed in a job classification, as designated by each
16 agency director, for which, in the case of the employee's absence from
17 work, the agency would incur direct additional personnel costs to
18 ensure the performance of the employee's official duties. The
19 department of personnel shall adopt rules establishing criteria for the

1 designation of job classifications under this subsection. Each agency
2 director shall file with the department of personnel the job
3 classifications designated under this subsection.

4 (3) No employee may receive compensation under this section for any
5 portion of sick leave accumulated at a rate in excess of one day per
6 month. The state and regional universities and The Evergreen State
7 College shall maintain complete and accurate sick leave records for all
8 teaching and research faculty.

9 ((+2)) (4) In January of the year following any year in which a
10 minimum of sixty days of sick leave is accrued, and each January
11 thereafter, any eligible employee may receive remuneration for unused
12 sick leave accumulated in the previous year at a rate equal to one
13 day's monetary compensation of the employee for each four full days of
14 accrued sick leave in excess of sixty days. Sick leave for which
15 compensation has been received shall be deducted from accrued sick
16 leave at the rate of four days for every one day's monetary
17 compensation. For eligible employees under subsection (2)(b) of this
18 section, remuneration may be paid only for sick leave accrued during
19 those months of the previous year while occupying an eligible job
20 classification.

21 ((+3)) (5) At the time of separation from state service due to
22 retirement or death, an eligible employee or the employee's estate may
23 elect to receive remuneration at a rate equal to one day's current
24 monetary compensation of the employee for each four full days of
25 accrued sick leave.

26 ((+4)) (6) Pursuant to this subsection, in lieu of cash
27 remuneration the state may, with equivalent funds, provide eligible
28 employees with a benefit plan providing for reimbursement of medical
29 expenses. The committee for deferred compensation shall develop any
30 benefit plan established under this subsection, but may offer and
31 administer the plan only if (a) each eligible employee has the option
32 of whether to receive cash remuneration or to have his or her employer
33 transfer equivalent funds to the plan; and (b) the committee has
34 received an opinion from the United States internal revenue service
35 stating that participating employees, prior to the time of receiving
36 reimbursement for expenses, will incur no United States income tax
37 liability on the amount of the equivalent funds transferred to the
38 plan.

1 (~~(5)~~) (7) Remuneration or benefits received under this section
2 shall not be included for the purpose of computing a retirement
3 allowance under any public retirement system in this state.

4 (~~(6)~~) (8) With the exception of subsection (~~(4)~~) (6) of this
5 section, this section shall be administered, and rules shall be adopted
6 to carry out its purposes, by the Washington personnel resources board
7 for persons subject to chapter 41.06 RCW: PROVIDED, That determination
8 of classes of eligible employees shall be subject to approval by the
9 office of financial management. In January of each year, each agency
10 of the state shall provide written notification of the benefits
11 available under this section to the eligible employees of the agency.

12 (~~(7)~~) (9) Should the legislature revoke any remuneration or
13 benefits granted under this section, no affected employee shall be
14 entitled thereafter to receive such benefits as a matter of contractual
15 right.

16 NEW SECTION. **Sec. 2.** This act shall take effect September 1,
17 1995.

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