

2 HB 1761 - S AMD - 338
3 By Senator T. Sheldon

4 WITHDRAWN 4/14/99

5 On page 3, after line 26, insert the following:

6 "Sec. 2. RCW 28A.400.300 and 1997 c 13 s 10 are each amended to
7 read as follows:

8 Every board of directors, unless otherwise specially provided by
9 law, shall:

10 (1) Employ for not more than one year, and for sufficient cause
11 discharge all certificated and classified employees;

12 (2) Adopt written policies granting leaves to persons under
13 contracts of employment with the school district(s) in positions
14 requiring either certification or classified qualifications, including
15 but not limited to leaves for attendance at official or private
16 institutes and conferences and sabbatical leaves for employees in
17 positions requiring certification qualification, and leaves for
18 illness, injury, bereavement and, emergencies for both certificated and
19 classified employees, and with such compensation as the board of
20 directors prescribe: PROVIDED, That the board of directors shall adopt
21 written policies granting to such persons annual leave with
22 compensation for illness, injury and emergencies as follows:

23 (a) For such persons under contract with the school district for a
24 full year, at least ten days;

25 (b) For such persons under contract with the school district as
26 part time employees, at least that portion of ten days as the total
27 number of days contracted for bears to one hundred eighty days;

28 (c) For certificated and classified employees, annual leave with
29 compensation for illness, injury, and emergencies shall be granted and
30 accrue at a rate not to exceed twelve days per year; provisions of any
31 contract in force on June 12, 1980, which conflict with requirements of
32 this subsection shall continue in effect until contract expiration;
33 after expiration, any new contract executed between the parties shall
34 be consistent with this subsection;

1 (d) Compensation for leave for illness or injury actually taken
2 shall be the same as the compensation such person would have received
3 had such person not taken the leave provided in this proviso;

4 (e) Leave provided in this proviso not taken shall accumulate from
5 year to year up to a maximum of one hundred eighty days for the
6 purposes of RCW 28A.400.210 and 28A.400.220, and for leave purposes up
7 to a maximum of the number of contract days agreed to in a given
8 contract, but not greater than one year. Such accumulated time may be
9 taken at any time during the school year or up to twelve days per year
10 may be used for the purpose of payments for unused sick leave((-))i

11 (f) Sick leave heretofore accumulated under section 1, chapter 195,
12 Laws of 1959 (former RCW 28.58.430) and sick leave accumulated under
13 administrative practice of school districts prior to the effective date
14 of section 1, chapter 195, Laws of 1959 (former RCW 28.58.430) is
15 hereby declared valid, and shall be added to leave for illness or
16 injury accumulated under this proviso;

17 (g) Any leave for injury or illness accumulated up to a maximum of
18 forty-five days shall be creditable as service rendered for the purpose
19 of determining the time at which an employee is eligible to retire, if
20 such leave is taken it may not be compensated under the provisions of
21 RCW 28A.400.210 and 28A.310.490;

22 (h) Accumulated leave under this proviso shall be transferred to
23 and from one district to another, the office of superintendent of
24 public instruction and offices of educational service district
25 superintendents and boards, to and from such districts and such
26 offices;

27 (i) Leave accumulated by a person in a district prior to leaving
28 said district may, under rules and regulations of the board, be granted
29 to such person when the person returns to the employment of the
30 district; and

31 (j) For sick leave the board of directors may require a signed
32 statement from a licensed health care provider that any absence was due
33 to illness or injury. If an employee uses sick leave to engage in a
34 strike or work stoppage, the employee may not receive sick leave
35 benefits during the time the employee engages in the strike or work
36 stoppage.

37 When any certificated or classified employee leaves one school
38 district within the state and commences employment with another school
39 district within the state, the employee shall retain the same

1 seniority, leave benefits and other benefits that the employee had in
2 his or her previous position: PROVIDED, That classified employees who
3 transfer between districts after July 28, 1985, shall not retain any
4 seniority rights other than longevity when leaving one school district
5 and beginning employment with another. If the school district to which
6 the person transfers has a different system for computing seniority,
7 leave benefits, and other benefits, then the employee shall be granted
8 the same seniority, leave benefits and other benefits as a person in
9 that district who has similar occupational status and total years of
10 service."

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14 On page 1, line 4 of the title, after "41.32.570" insert "and
15 28A.400.300"

EFFECT: Requires a school board to adopt a written policy that allows school officials to require a signed statement by a health care provider that an employee's sick leave was used for an illness or injury. If an employee uses sick leave to engage in a strike or work stoppage, the employee may not receive sick leave benefits during the time the employee engages in the strike or work stoppage.

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