
HOUSE BILL 2685

State of Washington

57th Legislature

2002 Regular Session

By Representatives Kenney, Jarrett, Fromhold, Tokuda and Lantz; by request of University of Washington

Read first time 01/23/2002. Referred to Committee on Higher Education.

1 AN ACT Relating to probationary periods of campus police officer
2 appointees; and amending RCW 41.06.150.

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

4 **Sec. 1.** RCW 41.06.150 and 1999 c 297 s 3 are each amended to read
5 as follows:

6 The board shall adopt rules, consistent with the purposes and
7 provisions of this chapter, as now or hereafter amended, and with the
8 best standards of personnel administration, regarding the basis and
9 procedures to be followed for:

10 (1) The reduction, dismissal, suspension, or demotion of an
11 employee;

12 (2) Certification of names for vacancies, including departmental
13 promotions, with the number of names equal to six more names than there
14 are vacancies to be filled, such names representing applicants rated
15 highest on eligibility lists: PROVIDED, That when other applicants
16 have scores equal to the lowest score among the names certified, their
17 names shall also be certified;

18 (3) Examinations for all positions in the competitive and
19 noncompetitive service;

1 (4) Appointments;

2 (5) Training and career development;

3 (6) Probationary periods of six to twelve months and rejections of
4 probationary employees, depending on the job requirements of the class,
5 except ((that entry level state park rangers shall serve a probationary
6 period of twelve months)) as follows:

7 (a) Entry level state park rangers shall serve a probationary
8 period of twelve months;

9 (b) The probationary period of campus police officer appointees who
10 are required to attend the Washington state criminal justice training
11 commission basic law enforcement academy shall extend from the date of
12 appointment until twelve months from the date of successful completion
13 of the basic law enforcement academy, or twelve months from the date of
14 appointment if academy training is not required. The board shall adopt
15 rules to ensure that employees promoting to campus police officer who
16 are required to attend the Washington state criminal justice training
17 commission basic law enforcement academy shall have the trial service
18 period extend from the date of appointment until twelve months from the
19 date of successful completion of the basic law enforcement academy, or
20 twelve months from the date of appointment if academy training is not
21 required;

22 (7) Transfers;

23 (8) Sick leaves and vacations;

24 (9) Hours of work;

25 (10) Layoffs when necessary and subsequent reemployment, both
26 according to seniority;

27 (11) Determination of appropriate bargaining units within any
28 agency: PROVIDED, That in making such determination the board shall
29 consider the duties, skills, and working conditions of the employees,
30 the history of collective bargaining by the employees and their
31 bargaining representatives, the extent of organization among the
32 employees, and the desires of the employees;

33 (12) Certification and decertification of exclusive bargaining
34 representatives: PROVIDED, That after certification of an exclusive
35 bargaining representative and upon the representative's request, the
36 director shall hold an election among employees in a bargaining unit to
37 determine by a majority whether to require as a condition of employment
38 membership in the certified exclusive bargaining representative on or
39 after the thirtieth day following the beginning of employment or the

1 date of such election, whichever is the later, and the failure of an
2 employee to comply with such a condition of employment constitutes
3 cause for dismissal: PROVIDED FURTHER, That no more often than once in
4 each twelve-month period after expiration of twelve months following
5 the date of the original election in a bargaining unit and upon
6 petition of thirty percent of the members of a bargaining unit the
7 director shall hold an election to determine whether a majority wish to
8 rescind such condition of employment: PROVIDED FURTHER, That for
9 purposes of this clause, membership in the certified exclusive
10 bargaining representative is satisfied by the payment of monthly or
11 other periodic dues and does not require payment of initiation,
12 reinstatement, or any other fees or fines and includes full and
13 complete membership rights: AND PROVIDED FURTHER, That in order to
14 safeguard the right of nonassociation of public employees, based on
15 bona fide religious tenets or teachings of a church or religious body
16 of which such public employee is a member, such public employee shall
17 pay to the union, for purposes within the program of the union as
18 designated by such employee that would be in harmony with his or her
19 individual conscience, an amount of money equivalent to regular union
20 dues minus any included monthly premiums for union-sponsored insurance
21 programs, and such employee shall not be a member of the union but is
22 entitled to all the representation rights of a union member;

23 (13) Agreements between agencies and certified exclusive bargaining
24 representatives providing for grievance procedures and collective
25 negotiations on all personnel matters over which the appointing
26 authority of the appropriate bargaining unit of such agency may
27 lawfully exercise discretion;

28 (14) Written agreements may contain provisions for payroll
29 deductions of employee organization dues upon authorization by the
30 employee member and for the cancellation of such payroll deduction by
31 the filing of a proper prior notice by the employee with the appointing
32 authority and the employee organization: PROVIDED, That nothing
33 contained herein permits or grants to any employee the right to strike
34 or refuse to perform his or her official duties;

35 (15) Adoption and revision of a comprehensive classification plan
36 for all positions in the classified service, based on investigation and
37 analysis of the duties and responsibilities of each such position.

38 (a) The board shall not adopt job classification revisions or class
39 studies unless implementation of the proposed revision or study will

1 result in net cost savings, increased efficiencies, or improved
2 management of personnel or services, and the proposed revision or study
3 has been approved by the director of financial management in accordance
4 with chapter 43.88 RCW.

5 (b) Beginning July 1, 1995, through June 30, 1997, in addition to
6 the requirements of (a) of this subsection:

7 (i) The board may approve the implementation of salary increases
8 resulting from adjustments to the classification plan during the 1995-
9 97 fiscal biennium only if:

10 (A) The implementation will not result in additional net costs and
11 the proposed implementation has been approved by the director of
12 financial management in accordance with chapter 43.88 RCW;

13 (B) The implementation will take effect on July 1, 1996, and the
14 total net cost of all such actions approved by the board for
15 implementation during the 1995-97 fiscal biennium does not exceed the
16 amounts specified by the legislature specifically for this purpose; or

17 (C) The implementation is a result of emergent conditions.
18 Emergent conditions are defined as emergency situations requiring the
19 establishment of positions necessary for the preservation of the public
20 health, safety, or general welfare, which do not exceed \$250,000 of the
21 moneys identified in section 718(2), chapter 18, Laws of 1995 2nd sp.
22 sess.

23 (ii) The board shall approve only those salary increases resulting
24 from adjustments to the classification plan if they are due to
25 documented recruitment and retention difficulties, salary compression
26 or inversion, increased duties and responsibilities, or inequities.
27 For these purposes, inequities are defined as similar work assigned to
28 different job classes with a salary disparity greater than 7.5 percent.

29 (iii) Adjustments made to the higher education hospital special pay
30 plan are exempt from (b)(i) through (ii) of this subsection.

31 (c) Reclassifications, class studies, and salary adjustments to be
32 implemented during the 1997-99 and subsequent fiscal biennia are
33 governed by (a) of this subsection and RCW 41.06.152;

34 (16) Allocation and reallocation of positions within the
35 classification plan;

36 (17) Adoption and revision of a state salary schedule to reflect
37 the prevailing rates in Washington state private industries and other
38 governmental units but the rates in the salary schedules or plans shall
39 be increased if necessary to attain comparable worth under an

1 implementation plan under RCW 41.06.155 and that, for institutions of
2 higher education and related boards, shall be competitive for positions
3 of a similar nature in the state or the locality in which an
4 institution of higher education or related board is located, such
5 adoption and revision subject to approval by the director of financial
6 management in accordance with the provisions of chapter 43.88 RCW;

7 (18) Increment increases within the series of steps for each pay
8 grade based on length of service for all employees whose standards of
9 performance are such as to permit them to retain job status in the
10 classified service;

11 (19) Optional lump sum relocation compensation approved by the
12 agency director, whenever it is reasonably necessary that a person make
13 a domiciliary move in accepting a transfer or other employment with the
14 state. An agency must provide lump sum compensation within existing
15 resources. If the person receiving the relocation payment terminates
16 or causes termination with the state, for reasons other than layoff,
17 disability separation, or other good cause as determined by an agency
18 director, within one year of the date of the employment, the state is
19 entitled to reimbursement of the lump sum compensation from the person;

20 (20) Providing for veteran's preference as required by existing
21 statutes, with recognition of preference in regard to layoffs and
22 subsequent reemployment for veterans and their surviving spouses by
23 giving such eligible veterans and their surviving spouses additional
24 credit in computing their seniority by adding to their unbroken state
25 service, as defined by the board, the veteran's service in the military
26 not to exceed five years. For the purposes of this section, "veteran"
27 means any person who has one or more years of active military service
28 in any branch of the armed forces of the United States or who has less
29 than one year's service and is discharged with a disability incurred in
30 the line of duty or is discharged at the convenience of the government
31 and who, upon termination of such service has received an honorable
32 discharge, a discharge for physical reasons with an honorable record,
33 or a release from active military service with evidence of service
34 other than that for which an undesirable, bad conduct, or dishonorable
35 discharge shall be given: PROVIDED, HOWEVER, That the surviving spouse
36 of a veteran is entitled to the benefits of this section regardless of
37 the veteran's length of active military service: PROVIDED FURTHER,
38 That for the purposes of this section "veteran" does not include any
39 person who has voluntarily retired with twenty or more years of active

1 military service and whose military retirement pay is in excess of five
2 hundred dollars per month;

3 (21) Permitting agency heads to delegate the authority to appoint,
4 reduce, dismiss, suspend, or demote employees within their agencies if
5 such agency heads do not have specific statutory authority to so
6 delegate: PROVIDED, That the board may not authorize such delegation
7 to any position lower than the head of a major subdivision of the
8 agency;

9 (22) Assuring persons who are or have been employed in classified
10 positions before July 1, 1993, will be eligible for employment,
11 reemployment, transfer, and promotion in respect to classified
12 positions covered by this chapter;

13 (23) Affirmative action in appointment, promotion, transfer,
14 recruitment, training, and career development; development and
15 implementation of affirmative action goals and timetables; and
16 monitoring of progress against those goals and timetables.

17 The board shall consult with the human rights commission in the
18 development of rules pertaining to affirmative action. The department
19 of personnel shall transmit a report annually to the human rights
20 commission which states the progress each state agency has made in
21 meeting affirmative action goals and timetables.

--- END ---