
SENATE BILL 6137

State of Washington

57th Legislature

2001 Regular Session

By Senator T. Sheldon

Read first time 02/28/2001. Referred to Committee on Education.

1 AN ACT Relating to educational employees' benefits and compensation
2 during strikes and work stoppages; and amending RCW 28A.400.200.

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

4 **Sec. 1.** RCW 28A.400.200 and 1997 c 141 s 2 are each amended to
5 read as follows:

6 (1) Every school district board of directors shall fix, alter,
7 allow, and order paid salaries and compensation for all district
8 employees in conformance with this section.

9 (2)(a) Salaries for certificated instructional staff shall not be
10 less than the salary provided in the appropriations act in the
11 statewide salary allocation schedule for an employee with a
12 baccalaureate degree and zero years of service; and

13 (b) Salaries for certificated instructional staff with a masters
14 degree shall not be less than the salary provided in the appropriations
15 act in the statewide salary allocation schedule for an employee with a
16 masters degree and zero years of service;

17 (3)(a) The actual average salary paid to basic education and
18 special education certificated instructional staff shall not exceed the
19 district's average basic education and special education program

1 certificated instructional staff salary used for the state basic
2 education allocations for that school year as determined pursuant to
3 RCW 28A.150.410.

4 (b) Fringe benefit contributions for basic education and special
5 education certificated instructional staff shall be included as salary
6 under (a) of this subsection only to the extent that the district's
7 actual average benefit contribution exceeds the amount of the insurance
8 benefits allocation provided per certificated instructional staff unit
9 in the state operating appropriations act in effect at the time the
10 compensation is payable. For purposes of this section, fringe benefits
11 shall not include payment for unused leave for illness or injury under
12 RCW 28A.400.210; employer contributions for old age survivors
13 insurance, workers' compensation, unemployment compensation, and
14 retirement benefits under the Washington state retirement system; or
15 employer contributions for health benefits in excess of the insurance
16 benefits allocation provided per certificated instructional staff unit
17 in the state operating appropriations act in effect at the time the
18 compensation is payable. A school district may not use state funds to
19 provide employer contributions for such excess health benefits.

20 (c) Salary and benefits for certificated instructional staff in
21 programs other than basic education and special education shall be
22 consistent with the salary and benefits paid to certificated
23 instructional staff in the basic education and special education
24 programs.

25 (4) Salaries and benefits for certificated instructional staff may
26 exceed the limitations in subsection (3) of this section only by
27 separate contract for additional time, additional responsibilities, or
28 incentives. Supplemental contracts shall not cause the state to incur
29 any present or future funding obligation. Supplemental contracts shall
30 be subject to the collective bargaining provisions of chapter 41.59 RCW
31 and the provisions of RCW 28A.405.240, shall not exceed one year, and
32 if not renewed shall not constitute adverse change in accordance with
33 RCW 28A.405.300 through 28A.405.380. No district may enter into a
34 supplemental contract under this subsection for the provision of
35 services which are a part of the basic education program required by
36 Article IX, section 3 of the state Constitution.

37 (5) Employee benefit plans offered by any district shall comply
38 with RCW 28A.400.350 and 28A.400.275 and 28A.400.280.

1 (6) No moneys appropriated in this section may be expended for sick
2 leave benefits or compensation during the time an employee engages in
3 a strike or work stoppage if the employee is using sick leave to engage
4 in the strike or work stoppage. During a strike or work stoppage, a
5 school district board of directors may require a signed statement from
6 a licensed health care provider that an employee's absence was due to
7 illness or injury.

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