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**Higher Education & Workforce  
Education Committee**

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**ESSB 6396**

**Brief Description:** Modifying the accumulation and use of sick leave accrued by part-time faculty.

**Sponsors:** Senate Committee on Labor, Commerce, Research & Development (originally sponsored by Senators Kohl-Welles, Schmidt, Pridemore, Keiser, Franklin, Thibaudeau, Spanel and Jacobsen).

**Brief Summary of Engrossed Substitute Bill**

- Modifies sick leave accumulation policies for part-time academic employees.

**Hearing Date:**

**Staff:** Jennifer Thornton (786-7111).

**Background:**

Leave Policies

In 1996, the State Board for Community and Technical Colleges (SBCTC) convened a task force to conduct a best practices audit of compensation packages and conditions of employment for part-time faculty in the community and technical college system. One of the report's best practices was "to develop/bargain a policy that provides some sick leave to adjunct faculty who have a continuing relationship with the colleges."

Legislation enacted in 2000 requires that part-time academic employees of community and technical colleges: (1) shall receive sick leave in proportion to their teaching commitment at the college; (2) may accumulate such leave after the first quarter of employment by a college district, which they may take at any time; and (3) shall be eligible for access to Shared Leave and Attendance Incentive programs.

In 2005, the Legislature directed the SBCTC to convene a task force to review and update the best employment practices report written in 1996. The report, published in November 2005, states that, "As college and state employees, part-time instructors should have the same access to employee benefits as provided to full-time faculty, proportionate to assigned workload where appropriate. Examples of state-mandated benefits include retirement plans, health and leave benefits and the dependent care program."

The report found significant improvements since 1996 in allowing part-time instructors to earn sick leave at a rate proportionate to their workload and to participate in the Attendance Incentive and Shared Leave programs. The report also found that agreements have been made through collective bargaining that do not provide for sick leave accumulations to the fullest extent allowed by law. It recommends that local negotiators review sick leave and pay date options and negotiate solutions that provide these benefits to part-time instructors on a basis comparable to full-time instructors.

Leave accumulation policies are negotiated at the campus and district level. To date, some colleges adopted quarterly "use or lose" policies. Less than half of the community and technical colleges apply the same policies as full-time faculty related to the transfer and accumulation of leave.

#### Health Care Payroll Policies

Legislation introduced in 2006 (Substitute Senate Bill 6356) proposes that for-profit employers employing more than 5,000 persons must spend 9 percent of their payroll on health care services expenditures or pay the Department of Labor and Industries (L&I) an amount equal to the difference between what they have actually paid for health care expenditures and the 9 percent. Non-profit and governmental entities are required to spend 7 percent of their payroll on health care services or pay L&I the difference between their actual expenditure on health care services and an amount equal to 7 percent of its payroll.

#### **Summary of Bill:**

Part-time academic employees will accumulate leave after the first quarter of employment at a college district. They may take this leave at any time.

If Substitute Senate Bill 6356 passes the Legislature, the provisions of that bill shall apply to the state community and technical college system. It requires that the state community and technical college system spend at least 7 percent of its payroll on health care services.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed.