
HOUSE BILL 1875

State of Washington 52nd Legislature 1991 Regular Session

By Representatives Peery and Zellinsky.

Read first time February 13, 1991. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to unemployment insurance benefits; and amending
2 RCW 50.44.050.

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

4 **Sec. 1.** RCW 50.44.050 and 1990 c 33 s 587 are each amended to read
5 as follows:

6 Except as otherwise provided in subsections (1) through (4) of this
7 section, benefits based on services in employment covered by or
8 pursuant to this chapter shall be payable on the same terms and subject
9 to the same conditions as compensation payable on the basis of other
10 service subject to this title.

11 (1) Benefits based on service in an instructional, research or
12 principal administrative capacity for an educational institution shall
13 not be paid to an individual for any week of unemployment which
14 commences during the period between two successive academic years or
15 terms (or, when an agreement provides instead for a similar period

1 between two regular but not successive terms, during such period) if
2 such individual performs such services in the first of such academic
3 years or terms and if there is a contract or reasonable assurance that
4 such individual will perform services in any such capacity for any
5 educational institution in the second of such academic years or terms.
6 Any employee of a common school district who is presumed to be
7 reemployed pursuant to RCW 28A.405.210 shall be deemed to have a
8 contract for the ensuing term.

9 (2) Benefits shall not be paid based on services in any other
10 capacity for an educational institution for any week of unemployment
11 which commences during the period between two successive academic years
12 or terms, if such individual performs such services in the first of
13 such academic years or terms and there is a reasonable assurance that
14 such individual will perform such services in the second of such
15 academic years or terms: PROVIDED, That if benefits are denied to any
16 individual under this subsection and that individual was not offered an
17 opportunity to perform such services for the educational institution
18 for the second of such academic years or terms, the individual is
19 entitled to a retroactive payment of benefits for each week for which
20 the individual filed a timely claim for benefits and for which benefits
21 were denied solely by reason of this subsection.

22 (3) Benefits shall not be paid based on any services described in
23 subsections (1) and (2) of this section for any week of unemployment
24 which commences during an established and customary vacation period or
25 holiday recess if such individual performs such services in the period
26 immediately before such vacation period or holiday recess, and there is
27 a reasonable assurance that such individual will perform such services
28 in the period immediately following such vacation period or holiday
29 recess.

1 (4) Benefits shall not be paid (as specified in subsections (1),
2 (2), or (3) of this section) based on any services described in
3 subsections (1) or (2) of this section to any individual who performed
4 such services in an educational institution while in the employ of an
5 educational service district (~~(which is established pursuant to chapter~~
6 ~~28A.310 RCW and exists to provide services to local school districts)~~),
7 or who provided such services to or on behalf of an educational service
8 district at the request of a school district in the performance of
9 school district responsibilities. For the purposes of this section,
10 "educational service district" means an educational service district
11 established pursuant to chapter 28A.310 RCW that exists to provide
12 services to local school districts.