

1 6244-S AMS MCDO S5300.4

2 SSB 6244 - S AMD - 000254

3 By Senator McDonald

4 NOT ADOPTED 2/18/94

5 On page 109, line 7, strike "672,558,000" and insert "680,560,000"

6 On page 109, line 14, strike "719,093,000" and insert "727,095,000"

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10 On page 110, beginning on line 15, after "staff;" strike all
11 material down to and including "year" on line 21, and insert the
12 following:

13 "(b) \$1,750,000 of the general fund--state appropriation is
14 provided solely for incremental salary increases for faculty; and

15 (c) \$1,950,000 of the general fund--state appropriation is provided
16 solely for incremental salary increases for classified employees.

17 (d) It is the intent of the legislature that the increases under
18 (b) and (c) of this subsection shall be funded by savings achieved in
19 state general fund expenditures for the 1993-1995 fiscal biennium. To
20 achieve the savings necessary to fund this appropriation, the office of
21 financial management shall immediately make across-the-board reductions
22 in state general fund allotments to all state agencies and institutions
23 for furnishings, equipment, software, travel, goods and services, and
24 other support costs"

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28 On page 128, after line 36, insert the following:

29 "NEW SECTION. Sec. 713. A new section is added to 1993 sp.s. c 24
30 to read as follows:

31 The sum of \$71,832,000, or as much thereof as may be necessary, is

1 appropriated from the general fund to the superintendent of public
2 instruction for allocation to school districts for the biennium ending
3 June 30, 1995, to provide an average salary increase of three percent
4 for all state-supported certificated instructional staff, state-
5 supported certificated administrative staff, and state-supported
6 classified staff, effective September 1, 1994. For the 1994-95 school
7 year, the superintendent of public instruction shall modify the state-
8 wide salary allocation schedule in section 503, chapter 24, Laws of
9 1993 sp. sess. (uncodified) and LEAP Document 12B to reflect the
10 average three percent salary increase.

11 The appropriation in this section shall be allocated by the
12 superintendent of public instruction according to the number of staff
13 formula units generated in the following programs: General
14 apportionment, pupil transportation, handicapped education, educational
15 service districts, institutional education, the highly capable program,
16 transitional bilingual program, and the learning assistance program.

17 It is the intent of the legislature that this appropriation shall
18 be funded by savings achieved in state general fund expenditures for
19 the 1993-1995 fiscal biennium. To achieve the savings necessary to
20 fund this appropriation, the office of financial management shall
21 immediately make across-the-board reductions in state general fund
22 allotments to all state agencies and institutions for furnishings,
23 equipment, software, travel, goods and services, and other support
24 costs.

25 **Sec. 714.** RCW 41.06.150 and 1993 sp.s. c 24 s 913 and 1993 c 281
26 s 27 are each reenacted and amended to read as follows:

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

31 (1) The reduction, dismissal, suspension, or demotion of an
32 employee;

33 (2) Certification of names for vacancies, including departmental
34 promotions, with the number of names equal to six more names than there
35 are vacancies to be filled, such names representing applicants rated
36 highest on eligibility lists: PROVIDED, That when other applicants
37 have scores equal to the lowest score among the names certified, their
38 names shall also be certified;

1 (3) Examinations for all positions in the competitive and
2 noncompetitive service;

3 (4) Appointments;

4 (5) Training and career development;

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

9 (7) Transfers;

10 (8) Sick leaves and vacations;

11 (9) Hours of work;

12 (10) Layoffs when necessary and subsequent reemployment, both
13 according to seniority;

14 (11) Determination of appropriate bargaining units within any
15 agency: PROVIDED, That in making such determination the board shall
16 consider the duties, skills, and working conditions of the employees,
17 the history of collective bargaining by the employees and their
18 bargaining representatives, the extent of organization among the
19 employees, and the desires of the employees;

20 (12) Certification and decertification of exclusive bargaining
21 representatives: PROVIDED, That after certification of an exclusive
22 bargaining representative and upon the representative's request, the
23 director shall hold an election among employees in a bargaining unit to
24 determine by a majority whether to require as a condition of employment
25 membership in the certified exclusive bargaining representative on or
26 after the thirtieth day following the beginning of employment or the
27 date of such election, whichever is the later, and the failure of an
28 employee to comply with such a condition of employment constitutes
29 cause for dismissal: PROVIDED FURTHER, That no more often than once in
30 each twelve-month period after expiration of twelve months following
31 the date of the original election in a bargaining unit and upon
32 petition of thirty percent of the members of a bargaining unit the
33 director shall hold an election to determine whether a majority wish to
34 rescind such condition of employment: PROVIDED FURTHER, That for
35 purposes of this clause, membership in the certified exclusive
36 bargaining representative is satisfied by the payment of monthly or
37 other periodic dues and does not require payment of initiation,
38 reinstatement, or any other fees or fines and includes full and
39 complete membership rights: AND PROVIDED FURTHER, That in order to

1 safeguard the right of nonassociation of public employees, based on
2 bona fide religious tenets or teachings of a church or religious body
3 of which such public employee is a member, such public employee shall
4 pay to the union, for purposes within the program of the union as
5 designated by such employee that would be in harmony with his or her
6 individual conscience, an amount of money equivalent to regular union
7 dues minus any included monthly premiums for union-sponsored insurance
8 programs, and such employee shall not be a member of the union but is
9 entitled to all the representation rights of a union member;

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

15 (14) Written agreements may contain provisions for payroll
16 deductions of employee organization dues upon authorization by the
17 employee member and for the cancellation of such payroll deduction by
18 the filing of a proper prior notice by the employee with the appointing
19 authority and the employee organization: PROVIDED, That nothing
20 contained herein permits or grants to any employee the right to strike
21 or refuse to perform his or her official duties;

22 (15) Adoption and revision of a comprehensive classification plan
23 for all positions in the classified service, based on investigation and
24 analysis of the duties and responsibilities of each such position.
25 However, beginning July 1, 1993, through June 30, 1995, the board shall
26 not adopt job classification revisions or class studies unless
27 implementation of the proposed revision or study will result in net
28 cost savings, increased efficiencies, or improved management of
29 personnel or services, and the proposed revision or study has been
30 approved by the director of financial management in accordance with
31 chapter 43.88 RCW;

32 (16) Allocation and reallocation of positions within the
33 classification plan;

34 (17) Adoption and revision of a state salary schedule to reflect
35 the prevailing rates in Washington state private industries and other
36 governmental units but the rates in the salary schedules or plans shall
37 be increased if necessary to attain comparable worth under an
38 implementation plan under RCW 41.06.155 and that, for institutions of
39 higher education and related boards, shall be competitive for positions

1 of a similar nature in the state or the locality in which an
2 institution of higher education or related board is located, such
3 adoption and revision subject to approval by the director of financial
4 management in accordance with the provisions of chapter 43.88 RCW;

5 (18) Increment increases within the series of steps for each pay
6 grade based on length of service for all employees whose standards of
7 performance are such as to permit them to retain job status in the
8 classified service. However, beginning July 1, 1993, through June 30,
9 1995, increment increases shall not be provided to any classified or
10 exempt employees under the jurisdiction of the board whose monthly
11 salary on or after July 1, 1993, exceeds three thousand seven hundred
12 fifty dollars, except for increases authorized under sections 713 and
13 601(6), chapter . . . , Laws of 1994 (uncodified) (S-5216.4/94);

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

36 (20) Permitting agency heads to delegate the authority to appoint,
37 reduce, dismiss, suspend, or demote employees within their agencies if
38 such agency heads do not have specific statutory authority to so
39 delegate: PROVIDED, That the board may not authorize such delegation

1 to any position lower than the head of a major subdivision of the
2 agency;

3 (21) Assuring persons who are or have been employed in classified
4 positions under chapter 28B.16 RCW before July 1, 1993, will be
5 eligible for employment, reemployment, transfer, and promotion in
6 respect to classified positions covered by this chapter;

7 (22) Affirmative action in appointment, promotion, transfer,
8 recruitment, training, and career development; development and
9 implementation of affirmative action goals and timetables; and
10 monitoring of progress against those goals and timetables.

11 The board shall consult with the human rights commission in the
12 development of rules pertaining to affirmative action. The department
13 of personnel shall transmit a report annually to the human rights
14 commission which states the progress each state agency has made in
15 meeting affirmative action goals and timetables."

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19 On page 137, after line 32, insert the following:

20 "**Sec. 903.** 1993 sp.s. c 24 s 915 (uncodified) is amended to read
21 as follows:

22 (1) Beginning July 1, 1993, and until June 30, 1995, no state
23 agency may grant a salary increase to any employee who is exempt from
24 chapter 41.06 RCW and whose monthly salary on or after July 1, 1993,
25 exceeds \$3,750, except exempt employees whose salaries are determined
26 by an elected state official or the judicial branch and increases
27 permitted under sections 713 and 601(6), chapter . . . , Laws of 1994
28 (uncodified) (S-5216.4/94).

29 (2) Beginning July 1, 1993, and until June 30, 1995, no institution
30 of higher education may provide, from appropriations in this act, a
31 salary increase to any employee who is exempt from chapter 41.06 RCW
32 and whose monthly salary on or after July 1, 1993, exceeds \$3,750,
33 except increases permitted under sections 713 and 601(6), chapter
34 . . . , Laws of 1994 (uncodified) (S-5216.4/94).

35 (3) It is the intent of the legislature to freeze salaries for all
36 employees whose annual salary is greater than \$45,000. In order to

1 maintain equity and fairness across all employee groups, the
2 legislature encourages state-wide elected officials and the judicial
3 branch not to grant salary increases to employees who earn more than
4 \$45,000 a year."

5 Renumber the sections consecutively and correct any internal
6 references accordingly.

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10 On page 1, line 11 of the title, strike "and 805" and insert "805,
11 and 915"

12 On page 1, line 12 of the title, before "adding" insert "reenacting
13 and amending RCW 41.06.150;"

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