

SENATE BILL REPORT

SHB 2374

As of February 19, 1996

Title: An act relating to compensation of educational employees who participate in strikes.

Brief Description: Prohibiting payment of striking educational employees.

Sponsors: House Committee on Education (originally sponsored by Representatives Pelesky, Hargrove, L. Thomas, Hickel, McMahan, Thompson, Sherstad, Goldsmith, Mulliken, Blanton, Hymes, Stevens and Crouse).

Brief History:

Committee Activity: Labor, Commerce & Trade: 2/22/96.

SENATE COMMITTEE ON LABOR, COMMERCE & TRADE

Staff: Jonathan Seib (786-7427)

Background: Generally, schools are closed when teachers strike until the dispute is resolved. As a result of state law that requires schools to offer a 180-day school year, the school days lost as a result of the strike are added to the end of the school year. In these cases, teachers do not receive a reduction in their annual pay as a result of the strike.

Since 1970, there have been approximately 70 teacher strikes in the state.

Summary of Bill: Withholding of pay: Beginning in the 1996-97 school year, school district employees participating in a strike may not be paid any salary for any school day, or partial school day, in which the employee participates in a strike.

The district is directed to reduce the salary of each employee participating in the strike by an amount equal to one day's salary for each day that an employee participates in the strike. The term "salary" is not to include benefits, but includes salaries from supplementary contracts.

The reduction in the salary is to be subtracted from the employee's paycheck for the pay period in which the strike occurred, and may not be restored even if the employee is required to work 180 days.

The employee is to be notified of the employer's intent to withhold a portion of the employee's salary. The employee is to be provided an opportunity to show nonparticipation in the strike.

Actions taken under the act are not to be construed as a unfair labor practice or authorizing a strike.

Closing of schools: Except as noted below, school boards may not close schools in the event of a strike. If a strike occurs, school boards are to employ substitutes, use administrators, or take other appropriate actions.

If, however, after taking all reasonable steps, a school board makes a finding that keeping all of the schools in the district open is not practicable, it may close one or more schools in the district. However, if schools are closed, the length of the school year is not extended due to the strike beyond the last day of school year. Any state funds not used to hire substitutes or otherwise used to keep schools open are to be returned to the state.

The Superintendent of Public Instruction is permitted to waive the 180 day and minimum program hour requirements when school boards are required to close schools because of a strike.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill contains an emergency clause and takes effect immediately.