

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 5357

Chapter 349, Laws of 1993

53rd Legislature
1993 Regular Session

SCHOOL EMPLOYMENT SERVICE CONTRACTS--REQUIRED BENEFITS
FOR CONTRACTORS' EMPLOYEES

EFFECTIVE DATE: 7/25/93

Passed by the Senate April 21, 1993
YEAS 30 NAYS 18

JOEL PRITCHARD

President of the Senate

Passed by the House April 9, 1993
YEAS 85 NAYS 13

BRIAN EBERSOLE

**Speaker of the
House of Representatives**

Approved May 15, 1993

MIKE LOWRY

Governor of the State of Washington

CERTIFICATE

I, Marty Brown, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5357** as passed by the Senate and the House of Representatives on the dates hereon set forth.

MARTY BROWN

Secretary

FILED

May 15, 1993 - 10:50 a.m.

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 5357

AS AMENDED BY THE HOUSE

Passed Legislature - 1993 Regular Session

State of Washington 53rd Legislature 1993 Regular Session

By Senate Committee on Education (originally sponsored by Senators Pelz, Sutherland, Jesernig, Snyder, Gaspard, Fraser, Moore and Quigley)

Read first time 03/03/93.

1 AN ACT Relating to employment benefits for employees under school
2 service contracts; and adding a new section to Title 28A RCW.

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

4 NEW SECTION. **Sec. 1.** A new section is added to Title 28A RCW to
5 read as follows:

6 (1) When a school district or educational service district enters
7 into a contract for services that had been previously performed by
8 classified school employees, the contract shall contain a specific
9 clause requiring the contractor to provide for persons performing such
10 services under the contract, health benefits that are similar to those
11 provided for school employees who would otherwise perform the work, but
12 in no case are such health benefits required to be greater than the
13 benefits provided for basic health care services under chapter 70.47
14 RCW.

15 (2) Decisions to enter into contracts for services by a school
16 district or educational service district may only be made: (a) After
17 the affected district has conducted a feasibility study determining the
18 potential costs and benefits, including the impact on district
19 employees who would otherwise perform the work, that would result from

1 contracting for the services; (b) after the decision to contract for
2 the services has been reviewed and approved by the superintendent of
3 public instruction; and (c) subject to any applicable requirements for
4 collective bargaining. The factors to be considered in the feasibility
5 study shall be developed in consultation with representatives of the
6 affected employees and may include both long-term and short-term
7 effects of the proposal to contract for services.

8 (3) This section applies only if the contract would be for
9 services that are being performed by classified school employees as of
10 the effective date of this act.

11 (4) This section does not apply to:

12 (a) Temporary, nonongoing, or nonrecurring service contracts; or

13 (b) Contracts for services previously performed by employees in
14 director/supervisor, professional, and technical positions.

15 (5) For the purposes of subsection (4) of this section:

16 (a) "Director/supervisor position" means a position in which an
17 employee directs staff members and manages a function, a program, or a
18 support service.

19 (b) "Professional position" means a position for which an employee
20 is required to have a high degree of knowledge and skills acquired
21 through a baccalaureate degree or its equivalent.

22 (c) "Technical position" means a position for which an employee is
23 required to have a combination of knowledge and skills that can be
24 obtained through approximately two years of posthigh school education,
25 such as from a community or technical college, or by on-the-job
26 training.

Passed the Senate April 21, 1993.

Passed the House April 9, 1993.

Approved by the Governor May 15, 1993.

Filed in Office of Secretary of State May 15, 1993.