

CERTIFICATION OF ENROLLMENT
SUBSTITUTE SENATE BILL 6583

Chapter 120, Laws of 1996
(partial veto)

54th Legislature
1996 Regular Session

BENEFITS FOR PART-TIME ACADEMIC EMPLOYEES OF
COMMUNITY AND TECHNICAL COLLEGES--CLARIFICATION

EFFECTIVE DATE: 6/6/96

Passed by the Senate March 4, 1996
YEAS 43 NAYS 0

JOEL PRITCHARD

President of the Senate

Passed by the House February 29, 1996
YEAS 91 NAYS 0

CLYDE BALLARD

**Speaker of the
House of Representatives**

Approved March 21, 1996, with the
exception of section 4, which is
vetoed.

CERTIFICATE

I, Marty Brown, Secretary of the
Senate of the State of Washington, do
hereby certify that the attached is
SUBSTITUTE SENATE BILL 6583 as passed
by the Senate and the House of
Representatives on the dates hereon
set forth.

MARTY BROWN

Secretary

FILED

March 21, 1996 - 9:16 a.m.

MIKE LOWRY

Governor of the State of Washington

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 6583

AS AMENDED BY THE HOUSE

Passed Legislature - 1996 Regular Session

State of Washington 54th Legislature 1996 Regular Session

By Senate Committee on Higher Education (originally sponsored by Senators Spanel, Bauer, Kohl, McAuliffe, Winsley, Rinehart and Smith)

Read first time 01/26/96.

1 AN ACT Relating to higher education; adding new sections to chapter
2 28B.50 RCW; and declaring an emergency.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 28B.50 RCW
5 to read as follows:

6 For the purposes of determining eligibility of state-mandated
7 insurance and retirement benefits under RCW 28B.10.400 for part-time
8 academic employees in community and technical colleges, the following
9 definitions shall be used:

10 (1) "Full-time academic workload" means the number of in-class
11 teaching hours that a full-time instructor must teach to fulfill his or
12 her employment obligations in a given discipline in a given college.
13 If full-time academic workload is defined in a contract adopted through
14 the collective bargaining process, that definition shall prevail. If
15 the full-time workload bargained in a contract includes more than in-
16 class teaching hours, only that portion that is in-class teaching hours
17 may be considered academic workload.

18 (2) "In-class teaching hours" means contact classroom and lab hours
19 in which full or part-time academic employees are performing

1 contractually assigned teaching duties. The in-class teaching hours
2 shall not include any duties performed in support of, or in addition
3 to, those contractually assigned in-class teaching hours.

4 (3) "Academic employee" in a community or technical college means
5 any teacher, counselor, librarian, or department head who is employed
6 by a college district, whether full or part-time, with the exception of
7 the chief administrative officer of, and any administrator in, each
8 college district.

9 (4) "Part-time academic workload" means any percentage of a full-
10 time academic workload for which the part-time academic employee is not
11 paid on the full-time academic salary schedule.

12 NEW SECTION. **Sec. 2.** A new section is added to chapter 28B.50 RCW
13 to read as follows:

14 For the purposes of determining eligibility for receipt of state-
15 mandated benefits for part-time academic employees at community and
16 technical colleges, each institution shall report to the appropriate
17 agencies the names of eligible part-time academic employees who qualify
18 for benefits based on calculating the hours worked by part-time
19 academic employees as a percentage of the part-time academic workload
20 to the full-time academic workload in a given discipline in a given
21 institution.

22 NEW SECTION. **Sec. 3.** A new section is added to chapter 28B.50 RCW
23 to read as follows:

24 (1) The legislature finds that community colleges and technical
25 colleges have an obligation to carry out their roles and missions in an
26 equitable fashion. The legislature also finds that governing boards
27 for community colleges and technical colleges have a responsibility to
28 provide leadership and guidance to their colleges in the equitable
29 treatment of part-time faculty teaching in the community and technical
30 colleges.

31 (2) The state board for community and technical colleges shall
32 convene a task force to conduct a best practices audit of compensation
33 packages and conditions of employment for part-time faculty in the
34 community and technical college system. The task force shall include
35 but need not be limited to part-time faculty, full-time faculty,
36 members of the state board, and members of community college and
37 technical college governing boards. In performing the audit, the task

1 force shall focus on the employment of part-time faculty, and shall
2 include the following issues in its deliberations: Salary issues,
3 provision of health and retirement benefits, the implications of
4 increased reliance on part-time rather than full-time faculty, the
5 implications of workload definitions, and tangible and intangible ways
6 to recognize the professional stature of part-time faculty.

7 (3) The task force shall report its findings to the state board,
8 local governing boards, and other interested parties by August 30,
9 1996. The report shall include recommendations on a set of best
10 practices principles for the colleges to follow in their employment of
11 part-time faculty. By September 30, 1996, the state board for
12 community and technical colleges shall adopt and periodically update a
13 set of best practices principles for colleges in the community and
14 technical college system to follow in their employment of part-time
15 faculty. The board shall use the best practices principles in the
16 development of its 1997-99 biennial operating budget request. The
17 board shall encourage and, to the extent possible, require each local
18 governing board to adopt and implement the principles.

19 ****NEW SECTION. Sec. 4. This act is necessary for the immediate***
20 ***preservation of the public peace, health, or safety, or support of the***
21 ***state government and its existing public institutions, and shall take***
22 ***effect immediately.***

23 ***Sec. 4 was vetoed. See message at end of chapter.**

Passed the Senate March 4, 1996.

Passed the House February 29, 1996.

Approved by the Governor March 21, 1996, with the exception of
certain items that were vetoed.

Filed in Office of Secretary of State March 21, 1996.

1 Note: Governor's explanation of partial veto is as follows:

2 "I am returning herewith, without my approval as to section 4,
3 Substitute Senate Bill No. 6583 entitled:

4 "AN ACT Relating to higher education;"

5 Substitute Senate Bill No. 6583 establishes definitions for full
6 and part-time academic employees in the community and technical college
7 system for the purpose of standardizing medical and retirement benefits
8 and requires a task force to study, provide recommendations on, and
9 implement best practices regarding academic employee benefits.

10 This legislation includes an emergency clause in section 4.
11 Funding to implement the provisions of this bill is included in the
12 supplemental budget and cannot be expended until fiscal year 1997.
13 Since the bill without section 4 is otherwise effective 90 days

1 following the close of the legislative session, which is before the
2 start of fiscal year 1997, the emergency clause is without moment.

3 Moreover, the inclusion of an emergency clause prevents this bill
4 from being subject to a referendum under Article II, section 1 (b) of
5 the state Constitution and unnecessarily denies the people of this
6 state their power, at their own option, to approve or reject this bill
7 at the polls.

8 For these reasons, I have vetoed section 4 of Substitute Senate
9 Bill No. 6583.

10 With the exception of section 4, Substitute Senate Bill No. 6583 is
11 approved."