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SENATE BILL 6534

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State of Washington

56th Legislature

2000 Regular Session

By Senators Bauer, Winsley, Long, Franklin, Honeyford, Fairley, Haugen, Rasmussen, Jacobsen, McAuliffe, Goings, Patterson, Eide, Kohl-Welles, Stevens, B. Sheldon, Gardner and Spanel; by request of Joint Committee on Pension Policy

Read first time 01/18/2000. Referred to Committee on Ways & Means.

1 AN ACT Relating to the employee attendance incentive program; and  
2 amending RCW 28A.400.210.

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

4 **Sec. 1.** RCW 28A.400.210 and 1997 c 13 s 9 are each amended to read  
5 as follows:

6 Every school district board of directors may, in accordance with  
7 chapters 41.56 and 41.59 RCW, establish an attendance incentive program  
8 for all certificated and classified employees in the following manner,  
9 including covering persons who were employed during the 1982-'83 school  
10 year:

11 (1) In January of the year following any year in which a minimum of  
12 sixty days of leave for illness or injury is accrued, and each January  
13 thereafter, any eligible employee may exercise an option to receive  
14 remuneration for unused leave for illness or injury accumulated in the  
15 previous year at a rate equal to one day's monetary compensation of the  
16 employee for each four full days of accrued leave for illness or injury  
17 in excess of sixty days. Leave for illness or injury for which  
18 compensation has been received shall be deducted from accrued leave for  
19 illness or injury at the rate of four days for every one day's monetary

1 compensation. No employee may receive compensation under this section  
2 for any portion of leave for illness or injury accumulated at a rate in  
3 excess of one day per month.

4 (2) Except as provided in RCW 28A.400.212, at the time of  
5 separation from school district employment (~~due to retirement or~~  
6 ~~death~~) an eligible employee or the employee's estate shall receive  
7 remuneration at a rate equal to one day's current monetary compensation  
8 of the employee for each four full days accrued leave for illness or  
9 injury. For purposes of this subsection, "eligible employee" means (a)  
10 employees who separate from employment due to retirement or death or  
11 (b) employees who separate from employment and who are at least age  
12 fifty-five and have at least ten years of service under the teachers'  
13 retirement system plan 2 as defined in RCW 41.32.010(39), under the  
14 teachers' retirement system plan 3 as defined in RCW 41.32.010(40),  
15 under the Washington school employees' retirement system plan 2 as  
16 defined in RCW 41.35.010(30), under the Washington school employees'  
17 retirement system plan 3 as defined in RCW 41.35.010(31), or under the  
18 public employees' retirement system plan 2 as defined in RCW  
19 41.40.010(34).

20 (3) In lieu of remuneration for unused leave for illness or injury  
21 as provided in subsections (1) and (2) of this section, a school  
22 district board of directors may, with equivalent funds, provide  
23 eligible employees a benefit plan that provides reimbursement for  
24 medical expenses. Any benefit plan adopted after July 28, 1991, shall  
25 require, as a condition of participation under the plan, that the  
26 employee sign an agreement with the district to hold the district  
27 harmless should the United States government find that the district or  
28 the employee is in debt to the United States as a result of the  
29 employee not paying income taxes due on the equivalent funds placed  
30 into the plan, or as a result of the district not withholding or  
31 deducting any tax, assessment, or other payment on such funds as  
32 required under federal law.

33 Moneys or benefits received under this section shall not be  
34 included for the purposes of computing a retirement allowance under any  
35 public retirement system in this state.

36 The superintendent of public instruction in its administration  
37 hereof, shall promulgate uniform rules and regulations to carry out the  
38 purposes of this section.

1       Should the legislature revoke any benefits granted under this  
2 section, no affected employee shall be entitled thereafter to receive  
3 such benefits as a matter of contractual right.

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