
SENATE BILL 5021

State of Washington

58th Legislature

2003 Regular Session

By Senators T. Sheldon, Mulliken and Benton

Read first time 01/13/2003. Referred to Committee on Commerce & Trade.

1 AN ACT Relating to educational employees' benefits and compensation
2 during strikes and work stoppages; and amending RCW 28A.400.200.

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

4 **Sec. 1.** RCW 28A.400.200 and 2002 c 353 s 2 are each amended to
5 read as follows:

6 (1) Every school district board of directors shall fix, alter,
7 allow, and order paid salaries and compensation for all district
8 employees in conformance with this section.

9 (2)(a) Salaries for certificated instructional staff shall not be
10 less than the salary provided in the appropriations act in the
11 statewide salary allocation schedule for an employee with a
12 baccalaureate degree and zero years of service; and

13 (b) Salaries for certificated instructional staff with a masters
14 degree shall not be less than the salary provided in the appropriations
15 act in the statewide salary allocation schedule for an employee with a
16 masters degree and zero years of service;

17 (3)(a) The actual average salary paid to certificated instructional
18 staff shall not exceed the district's average certificated

1 instructional staff salary used for the state basic education
2 allocations for that school year as determined pursuant to RCW
3 28A.150.410.

4 (b) Fringe benefit contributions for certificated instructional
5 staff shall be included as salary under (a) of this subsection only to
6 the extent that the district's actual average benefit contribution
7 exceeds the amount of the insurance benefits allocation provided per
8 certificated instructional staff unit in the state operating
9 appropriations act in effect at the time the compensation is payable.
10 For purposes of this section, fringe benefits shall not include payment
11 for unused leave for illness or injury under RCW 28A.400.210; employer
12 contributions for old age survivors insurance, workers' compensation,
13 unemployment compensation, and retirement benefits under the Washington
14 state retirement system; or employer contributions for health benefits
15 in excess of the insurance benefits allocation provided per
16 certificated instructional staff unit in the state operating
17 appropriations act in effect at the time the compensation is payable.
18 A school district may not use state funds to provide employer
19 contributions for such excess health benefits.

20 (c) Salary and benefits for certificated instructional staff in
21 programs other than basic education shall be consistent with the salary
22 and benefits paid to certificated instructional staff in the basic
23 education program.

24 (4) Salaries and benefits for certificated instructional staff may
25 exceed the limitations in subsection (3) of this section only by
26 separate contract for additional time, additional responsibilities, or
27 incentives. Supplemental contracts shall not cause the state to incur
28 any present or future funding obligation. Supplemental contracts shall
29 be subject to the collective bargaining provisions of chapter 41.59 RCW
30 and the provisions of RCW 28A.405.240, shall not exceed one year, and
31 if not renewed shall not constitute adverse change in accordance with
32 RCW 28A.405.300 through 28A.405.380. No district may enter into a
33 supplemental contract under this subsection for the provision of
34 services which are a part of the basic education program required by
35 Article IX, section 3 of the state Constitution.

36 (5) Employee benefit plans offered by any district shall comply
37 with RCW 28A.400.350 and 28A.400.275 and 28A.400.280.

1 (6) No moneys appropriated in this section may be expended for sick
2 leave benefits, compensation, or health benefits during the time an
3 employee engages in a strike or work stoppage. During a strike or work
4 stoppage, a school district board of directors may require a signed
5 statement from a licensed health care provider that an employee's
6 absence was due to illness or injury.

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