

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 1636

Chapter 507, Laws of 2005

(partial veto)

59th Legislature
2005 Regular Session

CHILD CARE CAREER AND WAGE LADDER

EFFECTIVE DATE: 7/24/05

Passed by the House April 18, 2005
Yeas 65 Nays 30

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate April 7, 2005
Yeas 27 Nays 22

BRAD OWEN

President of the Senate

Approved May 17, 2005, with the
exception of Section 4, which is vetoed.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Richard Nafziger, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1636** as passed by the House of Representatives and the Senate on the dates hereon set forth.

RICHARD NAFZIGER

Chief Clerk

FILED

May 17, 2005 - 2:15 p.m.

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 1636

AS AMENDED BY THE SENATE

Passed Legislature - 2005 Regular Session

State of Washington 59th Legislature 2005 Regular Session

By House Committee on Appropriations (originally sponsored by Representatives Pettigrew, Roberts, Kagi, Clements, Darneille, Hunt, Green, Kenney, Appleton, Chase, Jarrett, Kessler, Moeller, Morrell, Williams, Ormsby, Murray, Dickerson, Conway, Lantz, Wood, Haigh, McDermott, Santos and Hudgins)

READ FIRST TIME 03/07/05.

1 AN ACT Relating to child care workers; and adding new sections to
2 chapter 74.13 RCW.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 74.13 RCW
5 to read as follows:

6 The legislature finds that as of 2000, child care workers in the
7 state earned an average hourly wage of eight dollars and twenty-two
8 cents, only fifty-eight percent received medical insurance through
9 employers, only sixty-six percent received paid sick leave, and only
10 seventy-three percent received paid vacation. The legislature further
11 finds that low wages for child care workers create a barrier for
12 individuals entering the profession, result in child care workers
13 leaving the profession in order to earn a living wage in another
14 profession, and make it difficult for child care workers to afford
15 professional education and training. As a result, the availability of
16 quality child care in the state suffers.

17 The legislature intends to increase wages to child care workers
18 through establishing a child care career and wage ladder that provides
19 increased wages for child care workers based on their work experience,

1 level of responsibility, and education. To the extent practicable
2 within available funds, this child care career and wage ladder shall
3 mirror the successful child care career and wage ladder pilot project
4 operated by the state between 2000 and 2003. While it is the intent of
5 the legislature to establish the vision of a statewide child care
6 career and wage ladder that will enhance employment quality and
7 stability for child care workers, the legislature also recognizes that
8 funding allocations will determine the extent of statewide
9 implementation of a child care career and wage ladder.

10 NEW SECTION. **Sec. 2.** A new section is added to chapter 74.13 RCW
11 to read as follows:

12 (1) Subject to the availability of funds appropriated for this
13 specific purpose, the division of child care and early learning in the
14 department of social and health services shall establish a child care
15 career and wage ladder in licensed child care centers that meet the
16 following criteria: (a) At least ten percent of child care slots are
17 dedicated to children whose care is subsidized by the state or any
18 political subdivision thereof or any local government; (b) the center
19 agrees to adopt the child care career and wage ladder, which, at a
20 minimum, shall be at the same pay schedule as existed in the previous
21 child care career and wage ladder pilot project; and (c) the center
22 meets further program standards as established by rule pursuant to
23 section 4 of this act.

24 The child care career and wage ladder shall include wage increments
25 for levels of education, years of relevant experience, levels of work
26 responsibility, relevant early childhood education credits, and
27 relevant requirements in the state training and registry system.

28 (2) The division shall establish procedures for the allocation of
29 funds to implement the child care career and wage ladder among child
30 care centers meeting the criteria identified in subsection (1) of this
31 section. In developing these procedures, the division shall:

32 (a) Review past efforts or administration of the child care career
33 and wage ladder pilot project in order to take advantage of any
34 findings, recommendations, or administrative practices that contributed
35 to that pilot project's success;

36 (b) Consult with stakeholders, including organizations representing
37 child care teachers and providers, in developing an allocation formula

1 that incorporates consideration of geographic and demographic
2 distribution of child care centers adopting the child care career and
3 wage ladder; and

4 (c) Develop a system for prioritizing child care centers interested
5 in adopting the child care career and wage ladder that is based on the
6 criteria identified in subsection (1) of this section.

7 (3) Notwithstanding the requirements of subsection (2) of this
8 section, child care centers meeting the criteria in subsection (1) of
9 this section located in urban areas of the department of social and
10 health services region one shall receive a minimum of fifteen percent
11 of the funds allocated through the child care career and wage ladder,
12 and of these centers, child care centers meeting the criteria in
13 subsection (1) of this section participating in the department of
14 social and health services Spokane tiered reimbursement pilot project
15 shall have first priority for child care career and wage ladder
16 funding.

17 NEW SECTION. **Sec. 3.** A new section is added to chapter 74.13 RCW
18 to read as follows:

19 Child care centers adopting the child care career and wage ladder
20 established pursuant to section 2 of this act shall increase wages for
21 child care workers who have earned a high school diploma or GED
22 certificate, gain additional years of experience, or accept increasing
23 levels of responsibility in providing child care, in accordance with
24 the child care career and wage ladder. The adoption of a child care
25 career and wage ladder shall not prohibit the provision of wage
26 increases based upon merit. The department of social and health
27 services shall pay wage increments for child care workers employed by
28 child care centers adopting the child care career and wage ladder
29 established pursuant to section 2 of this act who earn early childhood
30 education credits or meet relevant requirements in the state training
31 and registry system, in accordance with the child care career and wage
32 ladder.

33 *NEW SECTION. **Sec. 4.** A new section is added to chapter 74.13 RCW
34 to read as follows:

35 *The division of child care and early learning in the department of*
36 *social and health services shall establish further program standards by*

1 **rule. The division of child care and early learning shall also study**
2 **the impact of the child care career and wage ladder on the quality of**
3 **child care and the child care work force, and report its findings to**
4 **the governor and the appropriate committees of the legislature by**
5 **December 1, 2006.**

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

Passed by the House April 18, 2005.

Passed by the Senate April 7, 2005.

Approved by the Governor May 17, 2005, with the exception of
certain items that were vetoed.

Filed in Office of Secretary of State May 17, 2005.

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

"I am returning, without my approval as to Section 4, Substitute
House Bill No. 1636 entitled:

"AN ACT Relating to child care workers."

This bill establishes a childcare career and wage ladder in the
Department of Social and Health Services (DSHS), and requires it to
be implemented only if funds are appropriated for this purpose.
Funds were not appropriated. Childcare career and wage ladders
effectively increase the salary and benefits of childcare workers.
The DSHS had a childcare career and wage ladder pilot project in
place a few years ago but eliminated it when the WorkFirst Program
faced a budget shortfall.

Section 4 would require the DSHS to establish program standards,
study the impact of the childcare career and wage ladder on the
quality of childcare and the childcare workforce, and report its
findings to the Legislature by December 1, 2006. Section 4 is not
subject to the "within funds specifically appropriated for this
purpose" clause in the bill. Section 4 should be vetoed; it makes no
sense for the DSHS to take the time to create a report for a program
that does not exist.

For these reasons, I have vetoed Section 4 of Substitute House Bill
No. 1636.

With the exception of Section 4, Substitute House Bill No. 1636 is
approved."