

WAC 192-210-001 Which employment is subject to RCW 50.44.050?

(1) The provisions of RCW 50.44.050 apply only to educational institutions or educational service districts operated by:

- (a) The state;
- (b) A political subdivision of the state;
- (c) A nonprofit organization or unit; or
- (d) An Indian tribe.

(2) The provisions of RCW 50.44.050 apply to services performed either:

(a) In the employ of an educational institution; or

(b) In any educational institution while in the employ of an educational service district established pursuant to chapter 28A.310 RCW.

(3) (a) The provisions of RCW 50.44.050 do not apply if you are employed by a subsidiary business or organization owned or operated by an educational institution when:

(i) The primary purpose of the subsidiary business or organization is other than educational;

(ii) You are not employed in the role of instructional, research or principal administrative staff; and

(iii) Your regular employment does not depend on the educational institution's academic calendar.

(b) All three criteria must be met in order for your services to be exempt from the provisions of RCW 50.44.050. For example:

(i) You work for Pack Forest (operated by the University of Washington, College of Forest Resources) or one of the extension programs operated by Washington State University. You are not employed in the role of instructional, research or principal administrative staff and your regular employment does not depend on the educational institution's academic calendar. However, the primary purpose of each of these entities is educational. Employment for these entities is subject to the provisions of RCW 50.44.050 regardless of the nature of your employment.

(ii) You work for a radio station that is wholly owned and operated by a college. The primary purpose of the business is other than educational, you are not employed in the role of instructional, research, or principal administrative staff, and your regular employment does not depend on the educational institution's academic calendar. You are not subject to the restrictions of RCW 50.44.050.

[Statutory Authority: RCW 50.12.010, 50.12.040, 50.44.050, 50.44.053 and 50.44.055. WSR 18-19-007, § 192-210-001, filed 9/7/18, effective 10/8/18. Statutory Authority: RCW 50.12.010, 50.12.040, and 50.20.010. WSR 10-11-046, § 192-210-001, filed 5/12/10, effective 6/12/10.]