

2 **SB 5357** - S Amd
3 By Senator Nelson

4 Not Adopted 3/15/93 - Roll Call 19-28

5 On page 2, after line 11, insert the following:

6 "Sec. 2. RCW 50,.44.050 and 1990 c 33 s 587 are each amended to
7 read as follows:

8 Except as otherwise provided in subsections (1) through (4) of
9 this section, benefits based on services in employment covered by
10 or pursuant to this chapter shall be payable on the same terms and
11 subject to the same conditions as compensation payable on the basis
12 of other service subject to this title.

13 (1) Benefits based on service in an instructional, research or
14 principal administrative capacity for an educational institution
15 shall not be paid to an individual for any week of unemployment
16 which commences during the period between two successive academic
17 years or terms (or, when an agreement provides instead for a
18 similar period between two regular but not successive terms, during
19 such period) if such individual performs such services in the first
20 of such academic years or terms and if there is a contract or
21 reasonable assurance that such individual will perform services in
22 any such capacity for any educational institution in the second of
23 such academic years or terms. Any employee of a common school
24 district who is presumed to be reemployed pursuant to RCW
25 28A.405.210 shall be deemed to have a contract for the ensuing
26 term.

27 (2) (a) Benefits shall not be paid based on services in any
28 other capacity for an educational institution for any week of
29 unemployment which commences during the period between two
30 successive academic years or terms, if such individual performs
31 such services in the first of such academic years or terms and
32 there is a reasonable assurance that such individual will perform
33 such services in the second of such academic years or terms:
34 PROVIDED, That if benefits are denied to any individual under this
35 subsection and that individual was not offered an opportunity to
36 perform such services for the educational institution for the
37 second of such academic years or terms, the individual is entitled
38 to a retroactive payment of benefits for each week for which the
39 individual filed a timely claim for benefits and for which benefits
40 were denied solely by reason of this subsection.

41 (b) This subsection (2) shall not apply to individuals
42 performing services for a school district or educational service
43 district similar to those performed by employees of a private
44 employer under contract with the school district or educational
45 service district. These school district or educational service
46 district employees shall receive unemployment compensation benefits
47 similar to those received by the employees of such private
48 employer.

49 (3) Benefits shall not be paid based on any services described
50 in subsections (1) and (2) of this section for any week of

1 unemployment which commences during an established and customary
2 vacation period or holiday recess if such individual performs such
3 services in the period immediately before such vacation period or
4 holiday recess, and there is a reasonable assurance that such
5 individual will perform such services in the period immediately
6 following such vacation period or holiday recess.

7 (4) Benefits shall not be paid (as specified in subsections
8 (1), (2), or (3) of this section) based on any services described
9 in subsections (1) or (2) of this section to any individual who
10 performed such services in an educational institution while in the
11 employ of an educational service district which is established
12 pursuant to chapter 28A.310 RCW and exists to provide services to
13 local school districts."

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16 On page 1, line 2 of the title, after "contracts;" insert
17 "amending RCW 50.44.050;"

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