

1 6244-S AMS MCDO S5310.3

2 SSB 6244 - S AMD - 000255

3 By Senator McDonald

4 NOT ADOPTED 2/14/94 - ROLL CALL 16-31

5 On page 109, line 7, strike "672,558,000" and insert "680,560,000"

6 On page 109, line 14, strike "719,093,000" and insert "727,095,000"

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10 On page 110, beginning on line 15, after "staff;" strike all
11 material down to and including "year" on line 21, and insert the
12 following:

13 "(b) \$1,750,000 of the general fund--state appropriation is
14 provided solely for incremental salary increases for faculty; and

15 (c) \$1,950,000 of the general fund--state appropriation is provided
16 solely for incremental salary increases for classified employees"

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20 On page 128, after line 36, insert the following:

21 "NEW SECTION. Sec. 713. A new section is added to 1993 sp.s. c 24
22 to read as follows:

23 The sum of \$71,832,000, or as much thereof as may be necessary, is
24 appropriated from the general fund to the superintendent of public
25 instruction for allocation to school districts for the biennium ending
26 June 30, 1995, to provide an average salary increase of three percent
27 for all state-supported certificated instructional staff, state-
28 supported certificated administrative staff, and state-supported
29 classified staff, effective September 1, 1994. For the 1994-95 school
30 year, the superintendent of public instruction shall modify the state-
31 wide salary allocation schedule in section 503, chapter 24, Laws of

1 1993 sp. sess. (uncodified) and LEAP Document 12B to reflect the
2 average three percent salary increase.

3 The appropriation in this section shall be allocated by the
4 superintendent of public instruction according to the number of staff
5 formula units generated in the following programs: General
6 apportionment, pupil transportation, handicapped education, educational
7 service districts, institutional education, the highly capable program,
8 transitional bilingual program, and the learning assistance program.

9 **Sec. 714.** RCW 41.06.150 and 1993 sp.s. c 24 s 913 and 1993 c 281
10 s 27 are each reenacted and amended to read as follows:

11 The board shall adopt rules, consistent with the purposes and
12 provisions of this chapter, as now or hereafter amended, and with the
13 best standards of personnel administration, regarding the basis and
14 procedures to be followed for:

15 (1) The reduction, dismissal, suspension, or demotion of an
16 employee;

17 (2) Certification of names for vacancies, including departmental
18 promotions, with the number of names equal to six more names than there
19 are vacancies to be filled, such names representing applicants rated
20 highest on eligibility lists: PROVIDED, That when other applicants
21 have scores equal to the lowest score among the names certified, their
22 names shall also be certified;

23 (3) Examinations for all positions in the competitive and
24 noncompetitive service;

25 (4) Appointments;

26 (5) Training and career development;

27 (6) Probationary periods of six to twelve months and rejections of
28 probationary employees, depending on the job requirements of the class,
29 except that entry level state park rangers shall serve a probationary
30 period of twelve months;

31 (7) Transfers;

32 (8) Sick leaves and vacations;

33 (9) Hours of work;

34 (10) Layoffs when necessary and subsequent reemployment, both
35 according to seniority;

36 (11) Determination of appropriate bargaining units within any
37 agency: PROVIDED, That in making such determination the board shall
38 consider the duties, skills, and working conditions of the employees,

1 the history of collective bargaining by the employees and their
2 bargaining representatives, the extent of organization among the
3 employees, and the desires of the employees;

4 (12) Certification and decertification of exclusive bargaining
5 representatives: PROVIDED, That after certification of an exclusive
6 bargaining representative and upon the representative's request, the
7 director shall hold an election among employees in a bargaining unit to
8 determine by a majority whether to require as a condition of employment
9 membership in the certified exclusive bargaining representative on or
10 after the thirtieth day following the beginning of employment or the
11 date of such election, whichever is the later, and the failure of an
12 employee to comply with such a condition of employment constitutes
13 cause for dismissal: PROVIDED FURTHER, That no more often than once in
14 each twelve-month period after expiration of twelve months following
15 the date of the original election in a bargaining unit and upon
16 petition of thirty percent of the members of a bargaining unit the
17 director shall hold an election to determine whether a majority wish to
18 rescind such condition of employment: PROVIDED FURTHER, That for
19 purposes of this clause, membership in the certified exclusive
20 bargaining representative is satisfied by the payment of monthly or
21 other periodic dues and does not require payment of initiation,
22 reinstatement, or any other fees or fines and includes full and
23 complete membership rights: AND PROVIDED FURTHER, That in order to
24 safeguard the right of nonassociation of public employees, based on
25 bona fide religious tenets or teachings of a church or religious body
26 of which such public employee is a member, such public employee shall
27 pay to the union, for purposes within the program of the union as
28 designated by such employee that would be in harmony with his or her
29 individual conscience, an amount of money equivalent to regular union
30 dues minus any included monthly premiums for union-sponsored insurance
31 programs, and such employee shall not be a member of the union but is
32 entitled to all the representation rights of a union member;

33 (13) Agreements between agencies and certified exclusive bargaining
34 representatives providing for grievance procedures and collective
35 negotiations on all personnel matters over which the appointing
36 authority of the appropriate bargaining unit of such agency may
37 lawfully exercise discretion;

38 (14) Written agreements may contain provisions for payroll
39 deductions of employee organization dues upon authorization by the

1 employee member and for the cancellation of such payroll deduction by
2 the filing of a proper prior notice by the employee with the appointing
3 authority and the employee organization: PROVIDED, That nothing
4 contained herein permits or grants to any employee the right to strike
5 or refuse to perform his or her official duties;

6 (15) Adoption and revision of a comprehensive classification plan
7 for all positions in the classified service, based on investigation and
8 analysis of the duties and responsibilities of each such position.
9 However, beginning July 1, 1993, through June 30, 1995, the board shall
10 not adopt job classification revisions or class studies unless
11 implementation of the proposed revision or study will result in net
12 cost savings, increased efficiencies, or improved management of
13 personnel or services, and the proposed revision or study has been
14 approved by the director of financial management in accordance with
15 chapter 43.88 RCW;

16 (16) Allocation and reallocation of positions within the
17 classification plan;

18 (17) Adoption and revision of a state salary schedule to reflect
19 the prevailing rates in Washington state private industries and other
20 governmental units but the rates in the salary schedules or plans shall
21 be increased if necessary to attain comparable worth under an
22 implementation plan under RCW 41.06.155 and that, for institutions of
23 higher education and related boards, shall be competitive for positions
24 of a similar nature in the state or the locality in which an
25 institution of higher education or related board is located, such
26 adoption and revision subject to approval by the director of financial
27 management in accordance with the provisions of chapter 43.88 RCW;

28 (18) Increment increases within the series of steps for each pay
29 grade based on length of service for all employees whose standards of
30 performance are such as to permit them to retain job status in the
31 classified service. However, beginning July 1, 1993, through June 30,
32 1995, increment increases shall not be provided to any classified or
33 exempt employees under the jurisdiction of the board whose monthly
34 salary on or after July 1, 1993, exceeds three thousand seven hundred
35 fifty dollars, except for increases authorized under sections 713 and
36 601(6), chapter . . . , Laws of 1994 (uncodified) (S-5216.4/94);

37 (19) Providing for veteran's preference as required by existing
38 statutes, with recognition of preference in regard to layoffs and
39 subsequent reemployment for veterans and their surviving spouses by

1 giving such eligible veterans and their surviving spouses additional
2 credit in computing their seniority by adding to their unbroken state
3 service, as defined by the board, the veteran's service in the military
4 not to exceed five years. For the purposes of this section, "veteran"
5 means any person who has one or more years of active military service
6 in any branch of the armed forces of the United States or who has less
7 than one year's service and is discharged with a disability incurred in
8 the line of duty or is discharged at the convenience of the government
9 and who, upon termination of such service has received an honorable
10 discharge, a discharge for physical reasons with an honorable record,
11 or a release from active military service with evidence of service
12 other than that for which an undesirable, bad conduct, or dishonorable
13 discharge shall be given: PROVIDED, HOWEVER, That the surviving spouse
14 of a veteran is entitled to the benefits of this section regardless of
15 the veteran's length of active military service: PROVIDED FURTHER,
16 That for the purposes of this section "veteran" does not include any
17 person who has voluntarily retired with twenty or more years of active
18 military service and whose military retirement pay is in excess of five
19 hundred dollars per month;

20 (20) Permitting agency heads to delegate the authority to appoint,
21 reduce, dismiss, suspend, or demote employees within their agencies if
22 such agency heads do not have specific statutory authority to so
23 delegate: PROVIDED, That the board may not authorize such delegation
24 to any position lower than the head of a major subdivision of the
25 agency;

26 (21) Assuring persons who are or have been employed in classified
27 positions under chapter 28B.16 RCW before July 1, 1993, will be
28 eligible for employment, reemployment, transfer, and promotion in
29 respect to classified positions covered by this chapter;

30 (22) Affirmative action in appointment, promotion, transfer,
31 recruitment, training, and career development; development and
32 implementation of affirmative action goals and timetables; and
33 monitoring of progress against those goals and timetables.

34 The board shall consult with the human rights commission in the
35 development of rules pertaining to affirmative action. The department
36 of personnel shall transmit a report annually to the human rights
37 commission which states the progress each state agency has made in
38 meeting affirmative action goals and timetables."

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4 On page 137, after line 32, insert the following:

5 "Sec. 903. 1993 sp.s. c 24 s 915 (uncodified) is amended to read
6 as follows:

7 (1) Beginning July 1, 1993, and until June 30, 1995, no state
8 agency may grant a salary increase to any employee who is exempt from
9 chapter 41.06 RCW and whose monthly salary on or after July 1, 1993,
10 exceeds \$3,750, except exempt employees whose salaries are determined
11 by an elected state official or the judicial branch and increases
12 permitted under sections 713 and 601(6), chapter . . . , Laws of 1994
13 (uncodified) (S-5216.4/94).

14 (2) Beginning July 1, 1993, and until June 30, 1995, no institution
15 of higher education may provide, from appropriations in this act, a
16 salary increase to any employee who is exempt from chapter 41.06 RCW
17 and whose monthly salary on or after July 1, 1993, exceeds \$3,750,
18 except increases permitted under sections 713 and 601(6), chapter
19 . . . , Laws of 1994 (uncodified) (S-5216.4/94).

20 (3) It is the intent of the legislature to freeze salaries for all
21 employees whose annual salary is greater than \$45,000. In order to
22 maintain equity and fairness across all employee groups, the
23 legislature encourages state-wide elected officials and the judicial
24 branch not to grant salary increases to employees who earn more than
25 \$45,000 a year."

26 Renumber the sections consecutively and correct any internal
27 references accordingly.

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31 On page 1, line 11 of the title, strike "and 805" and insert "805,
32 and 915"

33 On page 1, line 12 of the title, before "adding" insert "reenacting

1 and amending RCW 41.06.150;"

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