

1 6244-S AMS MCDO S5337.2

2 **SSB 6244** - S AMD - 000256

3 By Senator McDonald

4 NOT ADOPTED 2/18/94 - ROLL CALL 19-28

5 On page 108, after line 4, insert the following:

6 "NEW SECTION. Sec. 518. A new section is added to 1993 sp.s. c 24
7 (uncodified) to read as follows:

8 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--1994-95 SCHOOL YEAR**
9 **EMPLOYEE SALARY BONUS**

10 General Fund Appropriation \$ 71,832,000

11 The appropriation in this section is subject to the following
12 conditions and limitations: The superintendent shall allocate the
13 funds to provide a three percent salary bonus for the 1994-95 school
14 year for all state-supported certificated instructional staff, state-
15 supported certificated administrative staff, and state-supported
16 classified staff, effective September 1, 1994."

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

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

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

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

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

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

5 "Sec. 713. RCW 41.06.150 and 1993 sp.s. c 24 s 913 and 1993 c 281
6 s 27 are each reenacted and amended to read as follows:

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

11 (1) The reduction, dismissal, suspension, or demotion of an
12 employee;

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

19 (3) Examinations for all positions in the competitive and
20 noncompetitive service;

21 (4) Appointments;

22 (5) Training and career development;

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

27 (7) Transfers;

28 (8) Sick leaves and vacations;

29 (9) Hours of work;

30 (10) Layoffs when necessary and subsequent reemployment, both
31 according to seniority;

32 (11) Determination of appropriate bargaining units within any
33 agency: PROVIDED, That in making such determination the board shall
34 consider the duties, skills, and working conditions of the employees,
35 the history of collective bargaining by the employees and their
36 bargaining representatives, the extent of organization among the
37 employees, and the desires of the employees;

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

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

35 (14) Written agreements may contain provisions for payroll
36 deductions of employee organization dues upon authorization by the
37 employee member and for the cancellation of such payroll deduction by
38 the filing of a proper prior notice by the employee with the appointing
39 authority and the employee organization: PROVIDED, That nothing

1 contained herein permits or grants to any employee the right to strike
2 or refuse to perform his or her official duties;

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

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

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

25 (18) Increment increases within the series of steps for each pay
26 grade based on length of service for all employees whose standards of
27 performance are such as to permit them to retain job status in the
28 classified service. However, beginning July 1, 1993, through June 30,
29 1995, increment increases shall not be provided to any classified or
30 exempt employees under the jurisdiction of the board whose monthly
31 salary on or after July 1, 1993, exceeds three thousand seven hundred
32 fifty dollars, except for increases authorized under sections 518 and
33 601(6), chapter . . . , Laws of 1994 (uncodified) (S-5216.4/94);

34 (19) Providing for veteran's preference as required by existing
35 statutes, with recognition of preference in regard to layoffs and
36 subsequent reemployment for veterans and their surviving spouses by
37 giving such eligible veterans and their surviving spouses additional
38 credit in computing their seniority by adding to their unbroken state
39 service, as defined by the board, the veteran's service in the military

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

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

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

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

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

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

5 "Sec. 904. 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 518 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 518 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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