

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE SENATE BILL 5357**

53rd Legislature  
1993 Regular Session

Passed by the Senate April 21, 1993  
YEAS 30 NAYS 18

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**President of the Senate**

Passed by the House April 9, 1993  
YEAS 85 NAYS 13

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**Speaker of the  
House of Representatives**

Approved

CERTIFICATE

I, Marty Brown, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5357** as passed by the Senate and the House of Representatives on the dates hereon set forth.

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**Secretary**

FILED

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Governor of the State of Washington

**Secretary of State  
State of Washington**

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**SUBSTITUTE SENATE BILL 5357**

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AS AMENDED BY THE HOUSE

Passed Legislature - 1993 Regular Session

**State of Washington                      53rd Legislature                      1993 Regular Session**

**By** Senate Committee on Education (originally sponsored by Senators Pelz, Sutherland, Jesernig, Snyder, Gaspard, Fraser, Moore and Quigley)

Read first time 03/03/93.

1            AN ACT Relating to employment benefits for employees under school  
2 service contracts; and adding a new section to Title 28A RCW.

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

4            NEW SECTION.    **Sec. 1.** A new section is added to Title 28A RCW to  
5 read as follows:

6            (1) When a school district or educational service district enters  
7 into a contract for services that had been previously performed by  
8 classified school employees, the contract shall contain a specific  
9 clause requiring the contractor to provide for persons performing such  
10 services under the contract, health benefits that are similar to those  
11 provided for school employees who would otherwise perform the work, but  
12 in no case are such health benefits required to be greater than the  
13 benefits provided for basic health care services under chapter 70.47  
14 RCW.

15            (2) Decisions to enter into contracts for services by a school  
16 district or educational service district may only be made: (a) After  
17 the affected district has conducted a feasibility study determining the  
18 potential costs and benefits, including the impact on district  
19 employees who would otherwise perform the work, that would result from

1 contracting for the services; (b) after the decision to contract for  
2 the services has been reviewed and approved by the superintendent of  
3 public instruction; and (c) subject to any applicable requirements for  
4 collective bargaining. The factors to be considered in the feasibility  
5 study shall be developed in consultation with representatives of the  
6 affected employees and may include both long-term and short-term  
7 effects of the proposal to contract for services.

8 (3) This section applies only if the contract would be for  
9 services that are being performed by classified school employees as of  
10 the effective date of this act.

11 (4) This section does not apply to:

12 (a) Temporary, nonongoing, or nonrecurring service contracts; or

13 (b) Contracts for services previously performed by employees in  
14 director/supervisor, professional, and technical positions.

15 (5) For the purposes of subsection (4) of this section:

16 (a) "Director/supervisor position" means a position in which an  
17 employee directs staff members and manages a function, a program, or a  
18 support service.

19 (b) "Professional position" means a position for which an employee  
20 is required to have a high degree of knowledge and skills acquired  
21 through a baccalaureate degree or its equivalent.

22 (c) "Technical position" means a position for which an employee is  
23 required to have a combination of knowledge and skills that can be  
24 obtained through approximately two years of posthigh school education,  
25 such as from a community or technical college, or by on-the-job  
26 training.

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