

---

**SUBSTITUTE HOUSE BILL 2608**

---

**State of Washington**

**56th Legislature**

**2000 Regular Session**

**By** House Committee on Appropriations (originally sponsored by Representatives Alexander, Carlson, H. Sommers, Doumit, Delvin, Lambert, Conway, Schoesler, Pflug, Talcott, Clements, Bush and Eickmeyer; by request of Joint Committee on Pension Policy)

Read first time 02/07/2000. Referred to Committee on .

1 AN ACT Relating to the employee attendance incentive program; and  
2 amending RCW 28A.400.210.

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

4 **Sec. 1.** RCW 28A.400.210 and 1997 c 13 s 9 are each amended to read  
5 as follows:

6 Every school district board of directors may, in accordance with  
7 chapters 41.56 and 41.59 RCW, establish an attendance incentive program  
8 for all certificated and classified employees in the following manner,  
9 including covering persons who were employed during the 1982-'83 school  
10 year:

11 (1) In January of the year following any year in which a minimum of  
12 sixty days of leave for illness or injury is accrued, and each January  
13 thereafter, any eligible employee may exercise an option to receive  
14 remuneration for unused leave for illness or injury accumulated in the  
15 previous year at a rate equal to one day's monetary compensation of the  
16 employee for each four full days of accrued leave for illness or injury  
17 in excess of sixty days. Leave for illness or injury for which  
18 compensation has been received shall be deducted from accrued leave for  
19 illness or injury at the rate of four days for every one day's monetary

1 compensation. No employee may receive compensation under this section  
2 for any portion of leave for illness or injury accumulated at a rate in  
3 excess of one day per month.

4 (2) Except as provided in RCW 28A.400.212, at the time of  
5 separation from school district employment (~~due to retirement or~~  
6 ~~death~~) an eligible employee or the employee's estate shall receive  
7 remuneration at a rate equal to one day's current monetary compensation  
8 of the employee for each four full days accrued leave for illness or  
9 injury. For purposes of this subsection, "eligible employee" means (a)  
10 employees who separate from employment due to retirement or death; (b)  
11 employees who separate from employment and who are at least age fifty-  
12 five and have at least ten years of service under the teachers'  
13 retirement system plan 3 as defined in RCW 41.32.010(40), or under the  
14 Washington school employees' retirement system plan 3 as defined in RCW  
15 41.35.010(31); or (c) employees who separate from employment and who  
16 are at least age fifty-five and have at least fifteen years of service  
17 under the teachers' retirement system plan 2 as defined in RCW  
18 41.32.010(39), under the Washington school employees' retirement system  
19 plan 2 as defined in RCW 41.35.010(30), or under the public employees'  
20 retirement system plan 2 as defined in RCW 41.40.010(34).

21 (3) In lieu of remuneration for unused leave for illness or injury  
22 as provided in subsections (1) and (2) of this section, a school  
23 district board of directors may, with equivalent funds, provide  
24 eligible employees a benefit plan that provides reimbursement for  
25 medical expenses. Any benefit plan adopted after July 28, 1991, shall  
26 require, as a condition of participation under the plan, that the  
27 employee sign an agreement with the district to hold the district  
28 harmless should the United States government find that the district or  
29 the employee is in debt to the United States as a result of the  
30 employee not paying income taxes due on the equivalent funds placed  
31 into the plan, or as a result of the district not withholding or  
32 deducting any tax, assessment, or other payment on such funds as  
33 required under federal law.

34 Moneys or benefits received under this section shall not be  
35 included for the purposes of computing a retirement allowance under any  
36 public retirement system in this state.

37 The superintendent of public instruction in its administration  
38 hereof, shall promulgate uniform rules and regulations to carry out the  
39 purposes of this section.

1       Should the legislature revoke any benefits granted under this  
2 section, no affected employee shall be entitled thereafter to receive  
3 such benefits as a matter of contractual right.

--- END ---