
HOUSE BILL 1423

State of Washington

57th Legislature

2001 Regular Session

By Representatives Quall, Haigh, Keiser, Kenney, Morris, Tokuda, Lovick, Cooper, Conway, Veloria, Wood, Edwards, McIntire, Miloscia, O'Brien, Kirby, McDermott, Schual-Berke and Santos

Read first time 01/25/2001. Referred to Committee on Education.

1 AN ACT Relating to contracting for services performed by classified
2 employees; and amending RCW 28A.400.285.

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

4 **Sec. 1.** RCW 28A.400.285 and 1997 c 267 s 2 are each amended 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 and retirement benefits that are
11 ((similar to)) at least the same value as those provided for school
12 employees who would otherwise perform the work, but in no case are such
13 health benefits required to be greater than the benefits provided for
14 basic health care services under chapter 70.47 RCW. The contract shall
15 also contain a specific clause requiring the contractor to provide to
16 the office of the superintendent of public instruction the same
17 employee information that a school district or educational service
18 district is required to provide.

1 (2) Decisions to enter into contracts for services by a school
2 district or educational service district may only be made: (a) After
3 the affected district has conducted a feasibility study determining the
4 potential costs and benefits, including the impact on district
5 employees who would otherwise perform the work, that would result from
6 contracting for the services; (b) after the decision to contract for
7 the services has been reviewed and approved by the superintendent of
8 public instruction; and (c) subject to any applicable requirements for
9 collective bargaining. The factors to be considered in the feasibility
10 study shall be developed in consultation with representatives of the
11 affected employees and may include both long-term and short-term
12 effects of the proposal to contract for services.

13 (3) This section applies only if a contract is for services
14 performed by classified school employees on or after July 25, 1993.

15 (4) This section does not apply to:

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

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

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

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

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

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

--- END ---