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**SUBSTITUTE HOUSE BILL 2383**

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**State of Washington**

**58th Legislature**

**2004 Regular Session**

**By** House Committee on Higher Education (originally sponsored by Representatives Kenney, Cox, Fromhold, Chase, Hudgins, Wood, Morrell, Santos and Kagi)

READ FIRST TIME 02/06/04.

1 AN ACT Relating to payment of part-time faculty at institutions of  
2 higher education; and amending RCW 42.16.010.

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

4 **Sec. 1.** RCW 42.16.010 and 1993 c 281 s 42 are each amended to read  
5 as follows:

6 (1) Except as provided otherwise in subsection (2) of this section,  
7 all state officers and employees shall be paid for services rendered  
8 from the first day of the month through the fifteenth day of the month  
9 and for services rendered from the sixteenth day of the month through  
10 the last calendar day of the month. Paydates for these two pay periods  
11 shall be established by the director of financial management through  
12 the administrative hearing process and the official paydates shall be  
13 established six months prior to the beginning of each subsequent  
14 calendar year. Under no circumstance shall the paydate be established  
15 more than ten days after the pay period in which the wages are earned  
16 except when the designated paydate falls on Sunday, in which case the  
17 paydate shall not be later than the following Monday. Payment shall be  
18 deemed to have been made by the established paydates if: (a) The  
19 salary warrant is available at the geographic work location at which

1 the warrant is normally available to the employee; or (b) the salary  
2 has been electronically transferred into the employee's account at the  
3 employee's designated financial institution; or (c) the salary warrants  
4 are mailed at least two days before the established payday for those  
5 employees engaged in work in remote or varying locations from the  
6 geographic location at which the payroll is prepared, provided that the  
7 employee has requested payment by mail.

8 The office of financial management shall develop the necessary  
9 policies and operating procedures to assure that all remuneration for  
10 services rendered including basic salary, shift differential, standby  
11 pay, overtime, penalty pay, salary due based on contractual agreements,  
12 and special pay provisions, as provided for by law, Washington  
13 personnel resources board rules, agency policy or rule, or contract,  
14 shall be available to the employee on the designated payday.  
15 Overtime, penalty pay, and special pay provisions may be paid by the  
16 next following payday if the postponement of payment is attributable  
17 to: The employee's not making a timely or accurate report of the facts  
18 which are the basis for the payment, or the employer's lack of  
19 reasonable opportunity to verify the claim.

20 Compensable benefits payable because of separation from state  
21 service shall be paid with the earnings for the final period worked  
22 unless the employee separating has not provided the agency with the  
23 proper notification of intent to terminate.

24 One-half of the employee's basic monthly salary shall be paid in  
25 each pay period. Employees paid on an hourly basis or employees who  
26 work less than a full pay period shall be paid for actual salary  
27 earned.

28 (2) Subsection (1) of this section shall not apply in instances  
29 where it would conflict with contractual rights or, with the approval  
30 of the office of financial management, to short-term, intermittent,  
31 noncareer state employees, to student employees of institutions of  
32 higher education, and to liquor control agency managers who are paid a  
33 percentage of monthly liquor sales.

34 (3) Notwithstanding subsections (1) and (2) of this section, a  
35 bargained contract at an institution of higher education may include a  
36 provision for paying part-time academic employees on a pay schedule  
37 that coincides with the paydays used for full-time academic employees,  
38 including an agreement to pay part-time academic employees within ten

1 days after the commencement of employment, or an agreement to reduce  
2 the number of days between the end of a pay period and the receipt of  
3 a pay check as described in subsection (1) of this section.

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