

**SENATE BILL 5351**

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**State of Washington**

**52nd Legislature**

**1991 Regular Session**

**By** Senators Saling, Bauer, Patterson, Stratton, Thorsness, Rasmussen, Johnson and Moore.

Read first time January 29, 1991. Referred to Committee on Higher Education.

1 AN ACT Relating to sick leave for exempt higher education  
2 employees; amending RCW 41.04.340; adding a new section to chapter  
3 28B.10 RCW; providing an effective date; and declaring an emergency.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 28B.10 RCW  
6 to read as follows:

7 (1) The boards of regents or trustees of each state college,  
8 university, and community college shall establish sick leave  
9 regulations for all officers, administrative personnel, librarians,  
10 counselors, and academic personnel, including teaching and research  
11 faculty, who are exempted from the provisions of chapters 41.06 and  
12 28B.16 RCW.

13 (2) Each state college, university, and community college shall  
14 maintain complete and accurate sick leave records for all officers,

1 administrative personnel, librarians, counselors, and academic  
2 personnel, including teaching and research faculty.

3 (3) For all officers, administrative personnel, librarians,  
4 counselors, and academic personnel, including teaching and research  
5 faculty, originally hired after June 30, 1991, the provisions of the  
6 sick leave regulations adopted under subsection (1) of this section  
7 regarding the amount of sick leave that may be allowed to and accrued  
8 by such employees shall be consistent with provisions for employees in  
9 the state personnel system and higher education personnel system  
10 established under chapters 41.06 and 28B.16 RCW.

11 **Sec. 2.** RCW 41.04.340 and 1990 c 162 s 1 are each amended to read  
12 as follows:

13 As used in this section the term "eligible employee" means any  
14 employee of the state, other than teaching and research faculty  
15 originally hired before July 1, 1991, at the state and regional  
16 universities and The Evergreen State College, entitled to accumulate  
17 sick leave and for whom accurate sick leave records have been  
18 maintained. No employee may receive compensation under this section  
19 for any portion of sick leave accumulated at a rate in excess of one  
20 day per month. The state and regional universities and The Evergreen  
21 State College shall maintain complete and accurate sick leave records  
22 for all teaching and research faculty.

23 An attendance incentive program is established for all eligible  
24 employees. In January of the year following any year in which a  
25 minimum of sixty days of sick leave is accrued, and each January  
26 thereafter, any eligible employee may receive remuneration for unused  
27 sick leave accumulated in the previous year at a rate equal to one  
28 day's monetary compensation of the employee for each four full days of  
29 accrued sick leave in excess of sixty days. Sick leave for which

1 compensation has been received shall be deducted from accrued sick  
2 leave at the rate of four days for every one day's monetary  
3 compensation.

4 At the time of separation from state service due to retirement or  
5 death, an eligible employee or the employee's estate shall receive  
6 remuneration at a rate equal to one day's current monetary compensation  
7 of the employee for each four full days of accrued sick leave:  
8 PROVIDED, That community college districts may delay until July 1,  
9 1981, payment due any eligible employee or employee's estate: PROVIDED  
10 FURTHER, That there shall be added to any such delayed payment interest  
11 at the rate of eight percent per year.

12 Moneys received under this section shall not be included for the  
13 purpose of computing a retirement allowance under any public retirement  
14 system in this state.

15 This section shall be administered, and rules shall be promulgated  
16 to carry out its purposes, by the state personnel board and the higher  
17 education personnel board for persons subject to chapters 41.06 and  
18 28B.16 RCW, respectively, and by their respective personnel authorities  
19 for other eligible employees: PROVIDED, That determination of classes  
20 of eligible employees shall be subject to approval by the office of  
21 financial management.

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

25 NEW SECTION. **Sec. 3.** This act is necessary for the immediate  
26 preservation of the public peace, health, or safety, or support of the  
27 state government and its existing public institutions, and shall take  
28 effect July 1, 1991.