

HOUSE BILL REPORT

HB 2383

As Reported by House Committee On:
Higher Education

Title: An act relating to payment of part-time faculty at institutions of higher education.

Brief Description: Providing for paying part-time faculty at institutions of higher education.

Sponsors: Representatives Kenney, Cox, Fromhold, Chase, Hudgins, Wood, Morrell, Santos and Kagi.

Brief History:

Committee Activity:

Higher Education: 1/21/04, 2/4/04 [DPS].

Brief Summary of Substitute Bill

- Permits institutions of higher education to collectively bargain paydates for part-time academic faculty that coincide with the paydates used for full-time faculty.
- Requires an institution of higher education to collectively bargain paying part-time academic faculty members within 10 days after reporting for work, or within fewer than 10 days after the end of a pay period.

HOUSE COMMITTEE ON HIGHER EDUCATION

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 8 members: Representatives Kenney, Chair; Fromhold, Vice Chair; Priest, Assistant Ranking Minority Member; Chase, Jarrett, McCoy, Morrell and Ormsby.

Minority Report: Do not pass. Signed by 3 members: Representatives Cox, Ranking Minority Member; Boldt and Condotta.

Staff: Sydney Forrester (786-7120).

Background:

Part-time academic faculties at institutions of higher education often are employed throughout the year under a series of shorter-term contracts that coincide with an institution's quarterly start and stop dates. Some part-time faculty work under these arrangements for several years.

The schedule required for paying state employees divides each month into two pay periods, the first through the 15th, and the 16th through the last day of the month. The Office of Financial Management (OFM) has established paydates for these two pay periods of the 10th and the 25th, respectively. The 10-day period between the end of a pay period and the receipt of a paycheck, is commonly called a lag period. The OFM approval is required to deviate from these standards.

A typical contract under which a part-time faculty member is employed defines the amount of compensation and the paydates during the quarter over which the compensation will be distributed. The quarterly start and stop dates which govern the employment status of part-time faculty at institutions of higher education combined with the standard state employee pay periods and paydates may result in part-time faculty working for more than three weeks before receiving compensation under a contract.

Summary of Substitute Bill:

Institutions of higher education are permitted to include in a collective bargaining agreement a provision to pay part-time faculty on the same paydates as are used for full-time faculty. Institutions also are permitted to bargain provisions for paying part-time faculty members within 10 or fewer days after the faculty member reports for work, or within fewer than 10 days after the end of a pay period.

Substitute Bill Compared to Original Bill:

The substitute makes all provisions permissive. An institution may bargain for using the full-time faculty paydates for part-time faculty, and may, but is not required to, pay part-time employees within 10 days of starting work, or within fewer than 10 days after then end of the pay period. The original bill required an institution to pay a part-time academic employee within 10 days of starting work if the institution agreed to use the same paydates for the part-time faculty as for the full-time faculty.

Appropriation: None.

Fiscal Note: Available. New fiscal note requested on February 5, 2004.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of

session in which bill is passed.

Testimony For: (In support of original bill) These employees are the hard-working, low-paid employees who come back to the colleges year after year and are in the "new employee" status each quarter. The state paydates are a hardship because, even though these people are professionals who have made a career of teaching, they are treated like new employees. The law regarding paydates was created before the current situation where high numbers of part-time academic employees are returning each year. Part-time returning faculty are sometimes included in health care and retirement benefits, so we also should be able to do something about their paydates. Although the administration at some institutions has negotiated to do this, advice from the Attorney General has been that they cannot. The bill would untie the hands of the institutions so they could bargain what they intended to do.

Testimony Against: (With concerns to original bill) Institutions may have to create a new pay period in order to pay within 10 days of starting work, and the entry of the calculations would probably have to be done by hand between the pay periods. Payroll software is antiquated and would require more labor to set up different pay periods, although for institutions with smaller payrolls this would require fewer paychecks.

Persons Testifying: (In support of original bill) Wendy Rader-Konofalski, Washington Federation of Teachers; Diane Clifford and Karen Toreson, Shoreline Community College Federation of Teachers; and Ruth Windover, Washington Education Association.

(With concerns to original bill) Ann Anderson, Central Washington University; Randy Hodgins, University of Washington; and Jeff Gombosky, Eastern Washington University.

(Opposed to original bill) John Boesenberg, State Board for Community and Technical Colleges.

Persons Signed In To Testify But Not Testifying: None.