

CHAPTER 1

[Engrossed House Bill No. 1703]

COMPARABLE WORTH—IMPLEMENTATION

AN ACT Relating to comparable worth; amending section 702, chapter 6, Laws of 1985 ex. sess. (uncodified); and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. Section 702, chapter 6, Laws of 1985 ex. sess. (uncodified) is amended to read as follows:

FOR THE GOVERNOR—COMPARABLE WORTH IMPLEMENTATION AND LAWSUIT

General Fund Appropriation	\$	26,790,000
Special Fund Salary Increase		
Revolving Fund Appropriation	\$	19,120,000
Total Appropriation	\$	45,910,000

The appropriations in this section are subject to the following conditions and limitations:

(1) ~~\$(2,578,000)~~ 644,500 of the general fund appropriation and ~~\$(1,305,000)~~ 326,250 of the special fund salary increase revolving fund appropriation are provided solely for a salary increase for those job classifications tied to salary survey benchmarks falling 8 ranges or more below the January 1, 1985, actual average comparable worth line as calculated under the formula of $\$983.72 + (\$3.28 \times \text{points})$ and rounded to the nearest Step G or equivalent step for shortened ranges. However, a job classification shall receive an increase only if its salary range as of January 1, 1985, is also 8 or more ranges less than the salary range of that classification as calculated under the aforementioned formula using the evaluation points of that classification as adopted by the respective personnel board. ~~((The adjustments))~~ This adjustment shall take place July 1, 1985, ~~((and July 1, 1986;))~~ and shall equal \$75 a year for all affected classes and employees and shall terminate on March 30, 1986.

(2) \$350,000 of the general fund—state appropriation shall be used solely by the office of the governor to hire an independent consultant with expertise in developing and evaluating public employee job classification systems and implementing comparable worth. The consultant shall:

- (a) Review the Willis methodology;
- (b) Update job class specifications for all job classes with incumbents that have not been reviewed for the past five years;
- (c) Develop a new benchmark and indexing structure which reflects the evaluated worth of the job classes; and
- (d) Evaluate the job class specifications for the implementation of comparable worth.

(3) The department of personnel and the higher education personnel board shall provide any assistance needed by the consultant to perform the activities in subsection (2) of this section. Both the state personnel board and higher education personnel board must submit joint reports to the legislature on the progress to date in implementing the consultant's recommendations no later than January 1, 1986, and July 1, 1986. On January 1, 1987, both boards shall submit a final report to the legislature.

(4) \$150,000 of the general fund—state appropriation shall be used solely for the office of the governor to allocate to agencies that provide technical assistance to the consultant hired under subsection (2) of this section.

(5) ~~\$(23,612,000)~~ 25,545,500 of the general fund appropriation and ~~\$(17,815,000)~~ 18,793,750 of the special fund salary increase revolving fund appropriation, along with all moneys currently included in agencies' budgets for payment of the \$100 per year comparable worth salary increase pursuant to chapter 76, Laws of 1983 1st ex. sess., are provided for the settlement of all claims of all plaintiffs and class members of American Federation of State, County, and Municipal Employees, et al. v. State of Washington, et al., Cause Nos. C82-4657, 84-3569, and 84-3590 and the implementation of comparable worth pursuant to RCW 28B.16.116 and RCW 41.06.155. The settlement shall result in complete discharge of all claims of any nature whatsoever of all plaintiffs and class members. It is the intent of the legislature that salary adjustments for affected class members not exceed the adjustment calculated using the average actual comparable worth salary line as applied to the Willis evaluation points of the affected job classification and adopted by the state personnel board and the higher education personnel board; PROVIDED, That on or before the dates on which comparable worth increases become effective, the higher education personnel board shall review the salaries of all job classifications receiving comparable worth increases which are also receiving special pay to determine whether the requirements of WAC 251-09-090 continue to be met and shall make any reductions in special pay necessary to adjust for the increases in base pay resulting from comparable worth adjustments. The governor as the chief executive officer of the state, with the assistance of the attorney general, is authorized to seek a proposed settlement. However, any such settlement is tentative and subject to legislative ratification. \$100,000 of the general fund appropriation is provided solely for the office of the governor to retain any special consultants or negotiators to work with the attorney general in seeking a settlement of American Federation of State, County, and Municipal Employees, et al. v. State of Washington, et al., within the terms of the appropriation as set out in this subsection. If a tentative settlement is reached within the terms of the appropriation within this subsection, the governor and the attorney general shall jointly present a report on the tentative settlement to the legislature no later than January 1,

1986, for ratification. No funds shall be released before (~~January 1, 1987, and~~) April 1, 1986, or until such time as stipulated final judgment is entered under the terms of the tentative settlement ratified by the legislature, whichever is later. The appropriation provided for settlement in this subsection shall lapse if no proposal is brought before the legislature before January 1, 1986, if the tentative settlement brought before the legislature is not ratified by the legislature during the 1986 legislative session, or if stipulated final judgment is not entered before June 30, 1986.

(6) The department of personnel and the higher education personnel board shall provide monthly reports to the legislative evaluation and accountability program committee regarding the steps each has taken, or proposes to take, to implement the settlement agreement referred to in subsection (5) of this section. The reports will include information on all disputes or potential disputes regarding implementation which have been brought to the attention of the two agencies.

The legislative evaluation and accountability program committee shall report to the legislature regarding the implementation steps taken by, and potential disputes facing, the department of personnel and the higher education personnel board. Such reports shall be provided as often as deemed necessary by the committee, but no later than June 1, 1986, December 1, 1986, and April 1, 1987.

(7) The department of personnel and the higher education personnel board shall report to the legislature by January 1, 1986, with a report identifying those job classifications not covered by the lawsuit that would be entitled to receive adjustments under the average actual comparable worth line. The report shall include recommendations regarding implementation of comparable worth adjustments for these affected job classes.

~~((7))~~ (8) To facilitate payment of salary increases from special funds, the state treasurer is directed to transfer sufficient income from each special fund to the special fund salary and insurance contribution increase revolving fund hereby created in accordance with schedules provided by the office of financial management.

NEW SECTION. Sec. 2. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the House January 31, 1986.

Passed the Senate February 10, 1986.

Approved by the Governor February 18, 1986.

Filed in Office of Secretary of State February 18, 1986.