

JAY INSLEE
Governor



STATE OF WASHINGTON
OFFICE OF THE GOVERNOR
P.O. Box 40002 • Olympia, Washington 98504-0002 • (360) 902-4111 • www.governor.wa.gov

DIRECTIVE OF THE GOVERNOR
20-15

October 30, 2020

To: Suzan LeVine, Commissioner
Employment Security Department

Tracy Guerin, Director
Department of Retirement Systems

From: Governor Jay Inslee

Subject: Maintaining Continuity in K-12 Employment

As COVID-19 continues to impede Washington's ability to return to normal, schools have faced the daunting task of fulfilling the State's paramount duty to educate our children. As of today, Washington has had in excess of 104,000 positive cases, forcing many school districts to conduct classes remotely.

One significant consequence of this new paradigm is that many K-12 employees are unable to pivot into different roles. Faced with the threat of layoffs for reasons other than cost-saving measures, these employees nonetheless remain essential to our long-term reopening strategy.

Without question, my highest priority is keeping Washingtonians safe from contracting the virus. But as we emerge from this pandemic, we intend to return students to the classroom as swiftly as possible and address the inequities brought about by the remote learning environment. In order to achieve this, we must preserve our workforce, which carries with it the irreplaceable institutional knowledge needed to reopen.

The Shared Work Program has been and remains an integral tool for retaining employees throughout Washington during this time of crisis, and its value to our K-12 system is immeasurable. A key eligibility criterion is that employee benefits are retained throughout the period of reduced hours, including retirement benefits.

Accordingly, I am directing the Department of Retirement Systems to file an emergency rule as soon as practicable. The rule will ensure continuity of retirement benefits specifically for qualifying employees of school districts, educational service districts, eligible tribal schools, the Washington State School for the Blind, and the Washington State School for the Deaf when:

- a) the employee has been laid off as a direct result of their employer's shift to remote learning; and
- b) their employer participates in the Shared Work Program.

Furthermore, I am directing the Employment Security Department to evaluate eligibility for the Shared Work Program based on its current criteria, including the Department of Retirement Systems' forthcoming emergency rule for employers of employees identified in this directive.

Thank you both for your continued leadership and prompt attention to this matter.