

RCW 41.80.430 Washington management service members. (1) (a)

Washington management service members who are not otherwise excluded from bargaining under (b) of this subsection are granted the right to collectively bargain.

(b) The following Washington management service members are excluded from bargaining:

(i) Employees in positions within Washington management salary band 3, salary band 4, and medical band, as defined by the office of financial management;

(ii) Human resource managers;

(iii) Budget managers;

(iv) Risk and litigation managers;

(v) Employees in positions whose official primary duties include conducting employee-related investigations including, but not limited to, a possible unfair practice under chapter 49.60 RCW, a possible violation of other federal, state, or local laws or an employing agency's internal policies, and employee misconduct or performance;

(vi) Employees in positions that report directly to an assistant secretary, deputy secretary, agency director, or equivalent, of an agency; and

(vii) Employees in positions excluded under RCW 41.80.005(6).

(c) Bargaining over wages will be limited to Washington management service salary band levels, not individual Washington management service classifications or positions.

(2) (a) Except as provided in (b) of this subsection, the only units that may be designated for the purpose of collective bargaining under this chapter are a supervisory or nonsupervisory unit, as determined by the commission, of all salary band 1 and salary band 2 Washington management service members within an agency that are not otherwise excluded from bargaining under this section.

(b) Subject to the public employment relations commission's review and to avoid excessive fragmentation, more than two bargaining units that otherwise meet the parameters in (a) of this subsection may be designated within a major administrative division of the following agencies: The department of corrections, the department of social and health services, the department of children, youth, and families, the department of transportation, the department of health, the state health care authority, the department of natural resources, the department of enterprise services, the department of ecology, the employment security department, and the department of fish and wildlife.

(3) The governor or the governor's designee and an exclusive bargaining representative shall negotiate for eligible Washington management service members within the bargaining agreements under RCW 41.80.010(2) (a) (i).

(4) No collective bargaining agreement entered into under this section with an exclusive bargaining representative of members of the Washington management service may take effect prior to July 1, 2025. [2023 c 136 s 3.]

Effective date—2023 c 136: "This act takes effect January 1, 2024." [2023 c 136 s 4.]