

RCW 44.90.050 Legislative employees—Collective bargaining—Exclusive bargaining representative—Rules. (1) Except as may be specifically limited by this chapter, legislative employees shall have the right to self-organization, to form, join, or assist employee organizations, and to bargain collectively through representatives of their own choosing for the purpose of collective bargaining free from interference, restraint, or coercion. Legislative employees shall also have the right to refrain from any or all such activities.

(2) Except as may be specifically limited by this chapter, the commission shall determine all questions pertaining to ascertaining exclusive bargaining representatives for legislative employees and collectively bargaining under this chapter. However, no employee organization shall be recognized or certified as the exclusive bargaining representative of a bargaining unit of employees of the legislative branch unless it receives the votes of a majority of employees in the petitioned for bargaining unit voting in a secret election administered by the commission. The commission's process must allow for an employee, group of employees, employee organizations, employer, or their agents to have the right to petition on any question concerning representation.

(3) The commission must adopt rules that provide for at least the following:

- (a) Secret balloting;
 - (b) Consulting with employee organizations;
 - (c) Access to lists of employees, job titles, work locations, and home mailing addresses;
 - (d) Absentee voting;
 - (e) Procedures for the greatest possible participation in voting;
 - (f) Campaigning on the employer's property during working hours;
- and
- (g) Election observers.

(4) (a) If an employee organization has been certified as the exclusive bargaining representative of the employees of multiple bargaining units, the employee organization may act for and negotiate a master collective bargaining agreement that includes within the coverage of the agreement all covered employees in the bargaining units.

(b) If a master collective bargaining agreement is in effect for the newly certified exclusive bargaining representative, it applies to the bargaining unit for which the new certification has been issued. Nothing in this subsection (4) (b) requires the parties to engage in new negotiations during the term of that agreement.

(5) The certified exclusive bargaining representative is responsible for representing the interests of all the employees in the bargaining unit. This section may not be construed to limit an exclusive bargaining representative's right to exercise its discretion to refuse to process grievances of employees that are unmeritorious.

(6) No question concerning representation may be raised if:

- (a) Fewer than 12 months have elapsed since the last certification or election; or
 - (b) A valid collective bargaining agreement exists covering the unit, except for that period of no more than 120 calendar days nor less than 90 calendar days before the expiration of the contract.
- [2024 c 333 s 5; 2022 c 283 s 5.]

Effective date—2024 c 333: See note following RCW 44.90.025.