

---

SENATE BILL 5483

---

State of Washington

53rd Legislature

1993 Regular Session

By Senators Prentice, Winsley, Vognild, Wojahn, Moore, Rinehart, McAuliffe, Sutherland, Pelz and Franklin

Read first time 01/29/93. Referred to Committee on Labor & Commerce.

1 AN ACT Relating to providing for arbitration in public  
2 transportation labor negotiations; amending RCW 35.58.265, 36.57.090,  
3 and 36.57A.120; and adding a new section to chapter 35.21 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 35.58.265 and 1965 c 91 s 1 are each amended to read  
6 as follows:

7 (1) If a metropolitan municipal corporation shall perform the  
8 metropolitan transportation function and shall acquire any existing  
9 transportation system, it shall assume and observe all existing labor  
10 contracts relating to such system and, to the extent necessary for  
11 operation of facilities, all of the employees of such acquired  
12 transportation system whose duties are necessary to operate efficiently  
13 the facilities acquired shall be appointed to comparable positions to  
14 those which they held at the time of such transfer, and no employee or  
15 retired or pensioned employee of such systems shall be placed in any  
16 worse position with respect to pension seniority, wages, sick leave,  
17 vacation or other benefits that he or she enjoyed as an employee of  
18 such system prior to such acquisition. The metropolitan municipal  
19 corporation shall engage in collective bargaining with the duly

1 appointed representatives of any employee labor organization having  
2 existing contracts with the acquired transportation system and may  
3 enter into labor contracts with such employee labor organization.

4 (2) If a collective bargaining agreement for the transportation  
5 system has not been negotiated within forty-five days of the  
6 commencement of bargaining between a metropolitan municipal corporation  
7 and a labor union representing its employees, either party may demand  
8 that the issues in disagreement be submitted to a mediator to assist in  
9 negotiations. If final agreement has not been reached within forty-  
10 five days of the commencement of mediation, either party may demand  
11 that the issues in disagreement be submitted to an arbitrator for a  
12 binding and final determination.

13 **Sec. 2.** RCW 36.57.090 and 1974 ex.s. c 167 s 9 are each amended to  
14 read as follows:

15 (1) A county transportation authority may acquire any existing  
16 transportation system by conveyance, sale, or lease. In any purchase  
17 from a county or city, the authority shall receive credit from the  
18 county or city for any federal assistance and state matching assistance  
19 used by the county or city in acquiring any portion of such system.  
20 The authority shall assume and observe all existing labor contracts  
21 relating to such system and, to the extent necessary for operation of  
22 facilities, all of the employees of such acquired transportation system  
23 whose duties are necessary to operate efficiently the facilities  
24 acquired shall be appointed to comparable positions to those which they  
25 held at the time of such transfer, and no employee or retired or  
26 pensioned employee of such systems shall be placed in any worse  
27 position with respect to pension seniority, wages, sick leave, vacation  
28 or other benefits that he enjoyed as an employee of such system prior  
29 to such acquisition. The authority shall engage in collective  
30 bargaining with the duly appointed representatives of any employee  
31 labor organization having existing contracts with the acquired  
32 transportation system and may enter into labor contracts with such  
33 employee labor organization.

34 (2) If a collective bargaining agreement for the transportation  
35 system has not been negotiated within forty-five days of the  
36 commencement of bargaining between a county transportation authority  
37 and a labor union representing its employees, either party may demand  
38 that the issues in disagreement be submitted to a mediator to assist in

1 negotiations. If final agreement has not been reached within forty-  
2 five days of the commencement of mediation, either party may demand  
3 that the issues in disagreement be submitted to an arbitrator for a  
4 binding and final determination.

5 **Sec. 3.** RCW 36.57A.120 and 1975 1st ex.s. c 270 s 22 are each  
6 amended to read as follows:

7 (1) If a public transportation benefit area shall acquire any  
8 existing transportation system, it shall assume and observe all  
9 existing labor contracts relating to such system and, to the extent  
10 necessary for operation of facilities, all of the employees of such  
11 acquired transportation system whose duties are necessary to operate  
12 efficiently the facilities acquired shall be appointed to comparable  
13 positions to those which they held at the time of such transfer, and no  
14 employee or retired or pensioned employee of such systems shall be  
15 placed in any worse position with respect to pension seniority, wages,  
16 sick leave, vacation or other benefits that he or she enjoyed as an  
17 employee of such system prior to such acquisition. The public  
18 transportation benefit area authority shall engage in collective  
19 bargaining with the duly appointed representatives of any employee  
20 labor organization having existing contracts with the acquired  
21 transportation system and may enter into labor contracts with such  
22 employee labor organization.

23 (2) If a collective bargaining agreement for the transportation  
24 system has not been negotiated within forty-five days of the  
25 commencement of bargaining between a public transportation benefit area  
26 and a labor union representing its employees, either party may demand  
27 that the issues in disagreement be submitted to a mediator to assist in  
28 negotiations. If final agreement has not been reached within forty-  
29 five days of the commencement of mediation, either party may demand  
30 that the issues in disagreement be submitted to an arbitrator for a  
31 binding and final determination.

32 NEW SECTION. **Sec. 4.** A new section is added to chapter 35.21 RCW  
33 to read as follows:

34 If a collective bargaining agreement for a city's public passenger  
35 transportation system has not been negotiated within forty-five days of  
36 the commencement of bargaining between a city and a labor union  
37 representing its public passenger transportation system employees,

1 either party may demand that the issues in disagreement be submitted to  
2 a mediator to assist in negotiations. If final agreement has not been  
3 reached within forty-five days of the commencement of mediation, either  
4 party may demand that the issues in disagreement be submitted to an  
5 arbitrator for a binding and final determination.

--- END ---