

FINAL BILL REPORT

ESHB 1916

C 278 L 07

Synopsis as Enacted

Brief Description: Applying interest arbitration to certain care providers.

Sponsors: By House Committee on Commerce & Labor (originally sponsored by Representatives Conway, Ericksen, Moeller, Strow, Green, Haler, Appleton, Seaquist, Chase, Priest, McDermott, Walsh, Ormsby, Hasegawa, Fromhold, Kessler, Dunshee, Dunn, Sells, Wood, P. Sullivan, Kenney and Morrell).

House Committee on Commerce & Labor

Senate Committee on Labor, Commerce, Research & Development

Senate Committee on Ways & Means

Background:

Both individual home care workers (individual providers) and family child care providers have collective bargaining rights under the Public Employees' Collective Bargaining Act (PECBA). For individual providers and family child care providers, the PECBA recognizes the public policy against strikes as a means of settling labor disputes. To resolve impasses over contract negotiations involving these personnel, the PECBA requires binding interest arbitration if negotiations for a contract reach impasse and cannot be resolved through mediation.

For all personnel who are subject to binding interest arbitration under the PECBA, an interest arbitration panel must consider:

- the authority of the employer;
- the stipulations of the parties;
- a comparison of wages, hours, and conditions of employment of personnel involved in the proceedings with those of like personnel;
- the cost-of-living;
- changes in circumstances in any of these factors during the proceedings; and
- other factors normally or traditionally considered in the determination of wages, hours, and conditions of employment.

For individual providers and family child care providers, an interest arbitration panel must also consider the financial ability of the state to pay for the compensation and benefit provisions of a collective bargaining agreement.

Summary:

Mandatory and permissive factors to be considered by an interest arbitration panel resolving an impasse in collective bargaining involving individual providers or family child care providers under the PECBA are specified.

Individual Providers.

For individual providers, an interest arbitration panel is required to consider:

- a comparison of wages, hours, and conditions of employment of publicly reimbursed personnel providing similar services to similar clients, including clients who are elderly, frail, or have developmental disabilities, both in the state and across the United States; and
- the financial ability of the state to pay for the compensation and benefit provisions of a collective bargaining agreement.

The panel is permitted to consider:

- a comparison of wages, hours, and conditions of employment of publicly employed personnel providing similar services to similar clients, including clients who are elderly, frail, or have developmental disabilities, both in the state and across the U.S.;
- the state's interest in promoting a stable long-term care workforce;
- the state's interest in ensuring access to affordable, quality health care; and
- the state's fiscal interest in reducing reliance upon public benefit programs.

Family Child Care Providers.

For family child care providers, an interest arbitration panel is required to consider:

- a comparison of child care provider subsidy rates and reimbursement programs by public entities along the west coast of the United States; and
- the financial ability of the state to pay for the compensation and benefit provisions of a collective bargaining agreement.

The panel is permitted to consider:

- the public's interest in reducing turnover and increasing retention;
- the state's interest in promoting, through education and training, a stable child care workforce; and
- the state's fiscal interest in reducing reliance upon public benefit programs.

Votes on Final Passage:

House	88	10	
Senate	43	3	(Senate amended)
House	82	13	(House concurred)

Effective: July 22, 2007