
Commerce & Labor Committee

HB 1389

Brief Description: Applying RCW 41.56.430 through 41.56.490 to employees working under a site certificate issued under chapter 80.50 RCW.

Sponsors: Representatives Blake, Conway, Sells, Ormsby, McCoy, Kessler, Van De Wege, Green, Simpson and Wood.

Brief Summary of Bill

- Adds the operating and maintenance employees at a commercial nuclear power plant to the employees covered by interest arbitration under the Public Employees' Collective Bargaining Act.
- Specifies factors to be considered by an interest arbitration panel resolving an impasse in collective bargaining involving these employees.

Hearing Date: 1/27/09

Staff: Jill Reinmuth (786-7134)

Background:

Employees of cities, counties, and other political subdivisions of the state bargain their wages and working conditions under the Public Employees' Collective Bargaining Act (PECBA) administered by the Public Employment Relations Commission (Commission). For uniformed personnel, the PECBA recognizes the public policy against strikes as a means of settling labor disputes. To resolve impasses over contract negotiations involving these uniformed personnel, the PECBA requires binding arbitration.

The employees who are listed as uniformed personnel include, among others: firefighters in all cities and counties and law enforcement officers in larger cities and counties, correctional security personnel employed in larger county jails, general authority peace officers and firefighters employed by certain port districts, security forces at a nuclear power plant, and publicly employed advanced life support technicians. Other public employees covered by

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interest arbitration include state patrol officers and certain transit employees under the PECBA and ferry workers under the Marine Employees' Public Employment Relations Act.

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.

Summary of Bill:

The interest arbitration provisions of the Public Employees' Collective Bargaining Act (PECBA) apply to operating and maintenance employees who are employed at a commercial nuclear power plant by a joint operating agency.

For these operating and maintenance employees, an interest arbitration panel must consider:

- the authority of the employer;
- the stipulations of the parties;
- a comparison of the wages, benefits, hours of work, and working conditions of the personnel involved in the proceeding with those of like personnel in relevant Washington labor markets, or for classifications not found in Washington, with those of similar personnel in Arizona and California, taking into account differences in the cost of living;
- economic indices, fiscal constraints, relative differences in the cost of living, and similar factors determined to be pertinent; and
- other factors normally or traditionally considered in the determination of wages, benefits, hours of work, and working conditions.

Rules Authority: The bill does not address the rule-making powers of an agency.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.