

HOUSE BILL REPORT

HB 1503

As Reported by House Committee On: Labor & Workforce Development

Title: An act relating to modifying collective bargaining law to authorize providing additional compensation to academic employees at community and technical colleges.

Brief Description: Modifying collective bargaining law to authorize providing additional compensation to academic employees at community and technical colleges.

Sponsors: Representatives Sells, Kenney, Haigh, Reykdal, Ormsby, Van De Wege, Rolfes, Lias, Cody, Carlyle, Hasegawa, Pettigrew, Hunt, Green, Roberts, Moeller, Frockt and Stanford.

Brief History:

Committee Activity:

Labor & Workforce Development: 2/2/11, 2/15/11 [DP].

Brief Summary of Bill

- Authorizes the boards of community and technical colleges to provide additional compensation to academic employees.

HOUSE COMMITTEE ON LABOR & WORKFORCE DEVELOPMENT

Majority Report: Do pass. Signed by 8 members: Representatives Sells, Chair; Reykdal, Vice Chair; Green, Kenney, Miloscia, Moeller, Ormsby and Roberts.

Minority Report: Do not pass. Signed by 5 members: Representatives Condotta, Ranking Minority Member; Shea, Assistant Ranking Minority Member; Fagan, Taylor and Warnick.

Staff: Jill Reinmuth (786-7134).

Background:

Several collective bargaining laws apply to public institutions of higher education. These laws generally provide that the governing boards and the exclusive bargaining representatives have a mutual obligation to bargain in good faith over wages, hours, and terms and conditions of employment.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

For faculty at four-year institutions and certain student employees at the University of Washington and Washington State University, a collective bargaining agreement may not include compensation that exceeds the amount or percentage established by the Legislature in the appropriations act. The employer, however, may provide additional compensation to faculty and certain student employees that exceeds that provided by the Legislature.

For academic employees at community and technical colleges, a contract may not include salary increases that exceed the amount or percentage established by the Legislature in the appropriations act and allocated by the State Board for Community and Technical Colleges (State Board). Any provisions pertaining to salary increases in a contract are not binding upon future actions of the Legislature. There is no provision for additional compensation.

Other laws require the boards of community and technical colleges (college boards) to fix the college president's compensation, which may include elements other than salary. The college boards are also required to fix the salaries of faculty members and other administrative officers and employees. The State Board must adopt rules defining the permissible elements of compensation.

Summary of Bill:

The college boards may provide additional compensation to academic employees that exceeds that provided by the Legislature.

The language specifying that provisions pertaining to salary increases in a contract are not binding upon the Legislature's future actions is stricken.

The requirement that the State Board adopt rules defining the permissible elements of compensation is modified. The rules must define the permissible elements of compensation "for college presidents."

Appropriation: None.

Fiscal Note: Available.

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

Staff Summary of Public Testimony:

(In support) This bill is a fairness and efficiency measure.

Community and technical college faculty should have the same ability to bargain as K-12 teachers and other employee groups. These instructors prepare 60 percent of the state's

higher education students for college or the workforce. Times are tough, and faculty members and administrators must work together to move into better times.

When this prohibition was enacted, the funding model for community and technical colleges was different. Back then, tuition dollars were deposited in the State General Fund. Since the mid-1990s, tuition dollars have been kept at the local level and colleges can build up local reserves.

It is time to allow colleges, like other agencies, to manage their budgets internally. It is time to allow unions to sit down with administration and find ways to address various issues. College presidents should not be concerned. They are strong enough to hold their own at the bargaining table. Putting money on the table would enrich discussions.

The costs associated with complying with certain legislative mandates are leaving colleges in a bind. In times of budget austerity, colleges need the ability to optimize their resources. If salaries continue to lag, faculty may not be able to choose teaching over research.

The regional universities have had this bargaining authority for the past four years, and it has worked well. The percent spent on administration is down, and the percent devoted to instruction is up. Full-scope collective bargaining forces administrators to focus on concerns of faculty, and makes faculty recognize pressures on administrators. There is genuine shared accountability for how resources are deployed. There is greater understanding and trust.

(Opposed) This bill will not address faculty salary issues for several reasons.

The colleges lack control over their revenues. The Legislature sets tuition levels and appropriates funds for the colleges. Negotiating salary increases with teachers usually goes hand-in-hand with some control over revenue.

There is the potential for a growing salary gap between the haves and the have-nots. There is currently a 20 percent gap. The colleges have different abilities to collect tuition and revenue. For some, tuition is 10 percent of their revenue; for others, it is 35 percent.

This bill overlays the salary discussion on existing employment law. When the civil service bill was enacted, it provided for a clean slate because salaries brought different items to the table.

Persons Testifying: (In support) Representative Sells, prime sponsor; Mike Ragan and Wendy Rader-Konofalski, Washington Education Association; Sandra Schroeder, American Association of Teachers-Washington; Douglas Brown, Bellevue Community College Association of Higher Education; Bill Lyne, United Faculty of Washington State; and Rebecca Johnson, Washington State Labor Council.

(Opposed) John Boesenberg, State Board for Community and Technical Colleges.

Persons Signed In To Testify But Not Testifying: None.