

HOUSE BILL REPORT

2SSB 5171

As Passed House:

April 13, 1999

Title: An act relating to Washington state patrol employment agreements.

Brief Description: Regulating Washington state patrol employment agreements.

Sponsors: Senate Committee on Transportation (originally sponsored by Senators Goings, Prentice and Rasmussen).

Brief History:

Committee Activity:

Commerce & Labor: 4/1/99 [DP].

Floor Activity:

Passed House: 4/13/99, 92-3.

Brief Summary of Second Substitute Bill

- Includes wage-related matters as mandatory subjects of bargaining for negotiations between the Washington State Patrol and its appointed officers, but prohibits negotiations over rates of pay, wage levels, or matters relating to retirement benefits or health care and other employee insurance benefits.
- Requires wage-related provisions to be conditional on subsequent approval of the funds, if the wage related provisions are entered into before the Legislature approves the necessary funding.

HOUSE COMMITTEE ON COMMERCE & LABOR

Majority Report: Do pass. Signed by 6 members: Representatives Clements, Republican Co-Chair; Conway, Democratic Co-Chair; Wood, Democratic Vice Chair; Hurst; Lisk and McIntire.

Minority Report: Do not pass. Signed by 2 members: Representatives B. Chandler, Republican Vice Chair and McMorris.

Staff: Chris Cordes (786-7103).

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). The Washington State Patrol is also subject to the act with respect to its appointed officers.

Under the PECBA, collective bargaining is defined as the mutual obligation of the employer and exclusive bargaining representative to negotiate in good faith over specified mandatory subjects of bargaining: grievance procedures and personnel matters, including wages, hours, and working conditions. With respect to negotiations between the Washington State Patrol and its officers, the collective bargaining definition excludes wages and wage-related matters. This exclusion has been interpreted by the Washington Court of Appeals as allowing the parties to bargain these matters as permissive subjects of bargaining.

State Patrol officers and certain other law enforcement officers and fire fighters are considered "uniformed personnel." To resolve bargaining disputes involving these uniformed personnel, the PECBA requires binding interest arbitration if negotiations for a contract reach impasse and cannot be resolved through mediation.

Summary of Bill:

For collective negotiations between the Washington State Patrol and its appointed officers, the mandatory subjects of bargaining include wage-related matters, but negotiations are prohibited over rates of pay, wage levels, or matters relating to retirement benefits or health care and other employee insurance benefits.

If wage-related provisions are entered into before the Legislature approves the necessary funding, then these provisions must be conditioned on subsequent approval of the funds.

Technical changes are made to conform the scope of interest arbitration between the Washington State Patrol and its officers to the matters that are subject to bargaining, and to delete conflicting or obsolete provisions from the statute.

Appropriation: None.**Fiscal Note:** Not requested.**Effective Date:** Ninety days after adjournment of session in which bill is passed.

Testimony For: Collective bargaining for the State Patrol is currently very restrictive. This bill is needed to bring State Patrol bargaining rights into line with other similar uniformed personnel who do not have the right to strike. The problem with the current statute is that if an item is wage-related, it precludes discussion of those items. Although there is not a clear definition of "wage-related," it would include many relatively minor issues that are important to the officers. The bill would still prohibit bargaining over wages or fringe benefits. The bill will eliminate the need to get the Legislature involved in many minor issues. If the Legislature decides not to fund the major wage-related provisions in an agreement, the parties will return to the bargaining table to work out another agreement.

Testimony Against: None.

Testified: (In support) Bill Hanson and Steve Stiles, Washington State Patrol Troopers Association; Stu Halsan, Washington State Patrol Lieutenants Association; and Eric Robertson, Washington State Patrol.

(Information only) Marvin Schurke, Public Employment Relations Commission.