

# FINAL BILL REPORT

## ESB 5152

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Synopsis as Enacted

**Brief Description:** Clarifying who are appointed personnel for the purpose of public employees' collective bargaining.

**Sponsors:** Senators Kline, Fairley, Costa, Gardner and Goings.

**Senate Committee on Labor & Workforce Development**

**House Committee on Commerce & Labor**

**Background:** In 1999, deputy prosecutors were represented by collective bargaining units certified by the Public Employment Relations Commission (PERC) in six counties in Washington. The first union representation of deputy prosecutors began in 1982.

The state Supreme Court recently ruled that deputy prosecutors are appointed personnel and at-will employees who do not meet the definition of a public employee under the state's public employees' collective bargaining statute.

**Summary:** The definition of a public employee is changed in the public employees' collective bargaining statute to: (1) clarify that those appointed to office by a public employer are not public employees if their appointment is to a board, commission, or committee; and (2) specify that court commissioners or magistrates are not public employees. Elected prosecuting attorneys may not alter the at-will employment of deputies beyond the elected prosecutor's term of office.

**Votes on Final Passage:**

Senate	44	0
House	94	3

**Effective:** June 8, 2000