

VETO MESSAGE ON HB 2403-S2

April 4, 2002

To the Honorable Speaker and Members,

The House of Representatives of the State of Washington
Ladies and Gentlemen:

I am returning herewith, without my approval as to sections 2 and 5, Second Substitute House Bill No. 2403 entitled:

"AN ACT Relating to labor relations at the public four-year institutions of higher education;"

Second Substitute House Bill No. 2403 is an historic measure that will allow faculty at our four-year higher education institutions to collectively bargain, should they choose to do so. It establishes a process for elections, certification of bargaining units and the scope of bargaining.

Section 2 of the bill would have required faculty to choose between collective bargaining and shared faculty governance systems with respect to policies on academic and professional matters. Similarly, section 5, relating to the right to organize or refrain from organizing, would have provided that faculty members may not engage in collective bargaining until any existing faculty senate or council is abolished.

The functions of the faculty governance system and collective bargaining are separate and distinct. Faculty governance systems advise the universities on issues pertaining to curriculum development, content of courses and other issues that are prohibited subjects of collective bargaining under section 4 of this bill. Collective bargaining addresses issues such as wages and terms and conditions of employment. Neither system is equipped to fill the role of the other.

The right for faculty to collectively bargain is both implied and expressed in several provisions of this bill. Vetoing sections 2 and 5 will have no impact on that grant of right, and little impact on the overall framework set out by the bill.

For these reasons, I have vetoed sections 2 and 5 of Second Substitute House Bill No. 2403.

With the exception of sections 2 and 5, Second Substitute House Bill No. 2403 is approved.

Respectfully submitted,
Gary Locke
Governor