

SENATE BILL REPORT

SB 6016

As Reported by Senate Committee On:
Ways & Means, February 26, 2015

Title: An act relating to requiring explicit statutory authorization for the use of interest arbitration.

Brief Description: Requiring explicit statutory authorization for the use of interest arbitration.

Sponsors: Senators Braun, Baumgartner, Benton, Angel, Schoesler and Honeyford.

Brief History:

Committee Activity: Ways & Means: 2/24/15, 2/26/15 [DP, DNP, w/oRec].

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: Do pass.

Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Bailey, Becker, Brown, O'Ban, Padden, Parlette, Schoesler and Warnick.

Minority Report: Do not pass.

Signed by Senators Conway and Hasegawa.

Minority Report: That it be referred without recommendation.

Signed by Senators Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Billig, Fraser, Hatfield, Hewitt, Kohl-Welles and Rolfes.

Staff: Pete Cutler (786-7474)

Background: The Personnel System Reform Act of 2002 allows for collective bargaining of wages, hours, and working conditions between bargaining representatives of state employees and the Governor. Other statutes authorize collective bargaining for community college academic employees, faculty at four-year institutions of higher education, and local government public employees. In addition collective bargaining is authorized for non-state employee groups such as family child care providers, adult family home providers, individual providers, and language access providers who are state employees solely for the purposes of collective bargaining.

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.

Interest arbitration is a process whereby the issues not resolved in bargaining between the employer and the union may be presented to an impartial arbitrator for final resolution. The decisions of the arbitrator are binding on both the employer and the employee organization, and in the case of state employee collective bargaining, must be included in a tentative collective bargaining agreement that is submitted to the Legislature for ratification and funding. Interest arbitration is specifically authorized in Chapter 47.64 RCW for Washington State Ferries employees, and in Chapter 41.56 RCW for Washington State Patrol officers, non-state employee groups, and state and local government employee groups that are defined as uniformed personnel. Interest arbitration is not specifically authorized for other state employee groups.

In 2013 the Office of Financial Management (OFM) and the exclusive bargaining representatives for Department of Corrections employees entered into memoranda of understanding to use an interest arbitration procedure if the parties were unable to reach agreement regarding a collective bargaining agreement for the 2015-17 biennium. The tentative 2015-17 collective agreement for state corrections officers is based on an interest arbitration award.

Summary of Bill: Employers that engage in collective bargaining under Chapters 41.80 RCW – OFM for the state, 41.76 RCW – four-year higher education institutions, and 28B.52 RCW – community college districts, may not enter into an agreement that permits the use of interest arbitration as a means of resolving issues arising in collective bargaining; any such provision is void and unenforceable. Employers that engage in collective bargaining under Chapter 41.56 RCW – state and local governments, may not enter into an agreement that permits the use of interest arbitration as a means of resolving issues arising in collective bargaining, except as specifically authorized by Chapter 41.56 RCW. Any such provision is void and unenforceable.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: None.

Persons Testifying: No one.