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HOUSE BILL 2078

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State of Washington

64th Legislature

2015 Regular Session

By Representatives Sells, Appleton, Stanford, Kochmar, Ormsby, and S. Hunt

Read first time 02/11/15. Referred to Committee on Labor.

1 AN ACT Relating to collective bargaining by ferry employee  
2 organizations; amending RCW 47.64.011; and adding a new section to  
3 chapter 47.64 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 47.64  
6 RCW to read as follows:

7 Beginning in 2016 with the 2017-2019 collective bargaining  
8 agreement, any ferry employee organization and the person designated  
9 by the governor as a bargaining representative may negotiate four-  
10 year contracts. The nonwage-related issues may be of four-year  
11 duration but the wage-related issues are subject to two-year  
12 negotiations under RCW 47.64.170.

13 **Sec. 2.** RCW 47.64.011 and 2011 1st sp.s. c 16 s 24 are each  
14 amended to read as follows:

15 As used in this chapter, unless the context otherwise requires,  
16 the definitions in this section shall apply.

17 (1) "Collective bargaining representative" means the persons  
18 designated by the governor and employee organizations to be the  
19 exclusive representatives during collective bargaining negotiations.

1 (2) "Commission" means the public employment relations commission  
2 created in RCW 41.58.010.

3 (3) "Department of transportation" means the department as  
4 defined in RCW 47.01.021.

5 (4) "Employer" means the state of Washington.

6 (5) "Executive director" means the executive director of the  
7 commission.

8 (6) "Ferry employee" means any employee of the marine  
9 transportation division of the department of transportation who is a  
10 member of a collective bargaining unit represented by a ferry  
11 employee organization and does not include an exempt employee  
12 pursuant to RCW 41.06.079.

13 (7) "Ferry employee organization" means any labor organization  
14 recognized to represent a collective bargaining unit of ferry  
15 employees.

16 (8) "Lockout" means the refusal of the employer to furnish work  
17 to ferry employees in an effort to get ferry employee organizations  
18 to make concessions during collective bargaining, grievance, or other  
19 labor relation negotiations. Curtailment of employment of ferry  
20 employees due to lack of work resulting from a strike or work  
21 stoppage shall not be considered a lockout.

22 (9) "Office of financial management" means the office as created  
23 in RCW 43.41.050.

24 (10) "Strike or work stoppage" means a ferry employee's refusal,  
25 in concerted action with others, to report to duty, or his or her  
26 willful absence from his or her position, or his or her stoppage or  
27 slowdown of work, or his or her abstinence in whole or in part from  
28 the full, faithful, and proper performance of the duties of  
29 employment, for the purpose of inducing, influencing, or coercing a  
30 change in conditions, compensation, rights, privileges, or  
31 obligations of his, her, or any other ferry employee's employment. A  
32 refusal, in good faith, to work under conditions which pose an  
33 endangerment to the health and safety of ferry employees or the  
34 public, as determined by the master of the vessel, shall not be  
35 considered a strike for the purposes of this chapter.

36 (11) "Wage-related" means all items related to a collective  
37 bargaining agreement that affect or relate to, directly or  
38 indirectly, employee compensation, including, for example and not

1 limited to, wages, benefits, benefits accruals, holidays, vacation  
2 accruals, sick leave, and penalty pay.

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