

SENATE BILL REPORT

SB 6346

As Reported By Senate Committee On:
Labor & Workforce Development, January 31, 2000

Title: An act relating to labor relations in institutions of higher education.

Brief Description: Regulating labor relations in four-year institutions of higher education.

Sponsors: Senators Fairley, Kohl-Welles, Goings, Winsley, Jacobsen, Brown, Spanel, Fraser and Bauer.

Brief History:

Committee Activity: Labor & Workforce Development: 1/20/2000, 1/31/2000 [DP, DNP].

SENATE COMMITTEE ON LABOR & WORKFORCE DEVELOPMENT

Majority Report: Do pass.

Signed by Senators Fairley, Chair; Franklin, Vice Chair; Kline, Oke and Wojahn.

Minority Report: Do not pass.

Signed by Senator Hochstatter.

Staff: Jack Brummel (786-7428)

Background: Academic personnel at state four-year institutions of higher education are not covered by state collective bargaining laws. The six four-year institutions of higher education are the University of Washington, Washington State University, Western Washington University, Central Washington University, Eastern Washington University and The Evergreen State College. Most non-academic, or classified, employees are covered by the state civil service law.

Summary of Bill: Academic personnel and other non-classified staff at state four-year institutions of higher education are granted the right to bargain over wages, hours, and working conditions. These collective bargaining rights are not extended to chief executive or administrative officers, confidential employees, supervisors, or employees covered by the state civil service law or the Public Employees' Collective Bargaining Act.

A collective bargaining agreement may contain provisions for union security. An employee may be required to pay fees to an employee organization or charity as a condition of employment. "Closed shop" provisions for union security are prohibited.

The higher education institution and bargaining representative must seek, in good faith, legislative action for any provision requiring legislative implementation or appropriation.

Unfair labor practices are enumerated.

The Public Employment Relations Commission (PERC) is granted authority to prevent unfair labor practices, to determine the appropriateness of a bargaining unit, and to settle representation questions. Binding arbitration provisions governing disputes over the interpretation or application of an agreement are required. In addition, either the employer or the bargaining representative may request mediation.

PERC is granted the rule-making authority necessary to implement the chapter.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect on October 1, 2000.

Testimony For: There is long-standing support for collective bargaining rights by faculty senates. Without a law, higher education faculty are not treated fairly. They cannot turn to the NLRB or PERC. The bill provides a way to determine whether a majority of faculty want to bargain collectively. It does not require an agreement but does require bargaining in good faith. Eastern Washington University has shown that collective bargaining with faculty can work.

Testimony Against: Faculty senates can't support this particular bill enabling collective bargaining by university faculty because they have not had an opportunity to fully review it. Amendments are needed. The University of Washington would like to be excluded from the coverage of the bill.

Testified: PRO: Susan Levy, WA. Federation of Teachers; Susan Donahoe, Rex Wirth, Central WA U.; Jeff Corkill, Eastern WA U.; Terry Fitzpatrick, WEA; James Gregory, Duane Storti, American Association of University Professors; Richard Heyman, Roberta Gold, UW Graduate and Professional Student Senate; Jeff Johnson, WA. State Labor Council; CON: Barbara Mathers-Schmidt, Council of Faculty Representatives; Jean Melious, Western WA U. Faculty Senate Executive Council; Matt Carroll, WSU; Richard Alumbaugh, CWU; JoAnn Taricani, UW; Richard Thompson, UW.