

---

**SUBSTITUTE HOUSE BILL 2540**

---

**State of Washington**

**57th Legislature**

**2002 Regular Session**

**By** House Committee on Commerce & Labor (originally sponsored by Representatives Conway, Kenney, Wood, Chase, Cooper, Fromhold, Lysen, Campbell, Hunt, Veloria, Cody, Simpson, Haigh, Dickerson, Miloscia, Ogden, Quall, McIntire, Schual-Berke, Santos, McDermott and Kirby)

Read first time 02/06/2002. Referred to Committee on .

1 AN ACT Relating to collective bargaining for University of  
2 Washington employees who are enrolled in academic programs; adding a  
3 new section to chapter 41.56 RCW; creating a new section; and declaring  
4 an emergency.

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

6 NEW SECTION. **Sec. 1.** (1) This act is intended to promote  
7 cooperative labor relations between the University of Washington and  
8 the employees who provide instructional, research, and related academic  
9 services, and who are enrolled as students at the university by  
10 extending collective bargaining rights under chapter 41.56 RCW and  
11 using the orderly procedures administered by the public employment  
12 relations commission. To achieve this end, the legislature intends  
13 that under chapter 41.56 RCW the university will exclusively bargain in  
14 good faith over all matters within the scope of bargaining under  
15 section 2 of this act.

16 (2) The legislature recognizes the importance of the shared  
17 governance practices developed at the University of Washington. The  
18 legislature does not intend to restrict, limit, or prohibit the  
19 exercise of the functions of the faculty in any shared governance

1 mechanisms or practices, including the faculty senate, faculty  
2 councils, and faculty codes of the University of Washington; nor does  
3 the legislature intend to restrict, limit, or prohibit the exercise of  
4 the functions of the graduate and professional student senate, the  
5 associated students of the University of Washington, or any other  
6 student organization in matters outside the scope of bargaining covered  
7 by chapter 41.56 RCW.

8 (3) The legislature intends that nothing in this act will restrict,  
9 limit, or prohibit the University of Washington from consideration of  
10 the merits, necessity, or organization of any program, activity, or  
11 service established by the University of Washington, including, but not  
12 limited to, any decision to establish, modify, or discontinue any such  
13 program, activity, or service. The legislature further intends that  
14 nothing in this act will restrict, limit, or prohibit the University of  
15 Washington from having sole discretion over admission requirements for  
16 students, criterion for the award of certificates and degrees to  
17 students, academic criterion for selection of employees covered by this  
18 chapter, initial appointment of students, and the content, conduct, and  
19 supervision of courses, curricula, grading requirements, and research  
20 programs.

21 (4) The legislature does not intend to limit the matters excluded  
22 from collective bargaining to those items specified in this act.

23 NEW SECTION. **Sec. 2.** A new section is added to chapter 41.56 RCW  
24 to read as follows:

25 (1) In addition to the entities listed in RCW 41.56.020, this  
26 chapter applies to the University of Washington with respect to  
27 employees who are enrolled in an academic program and are in a  
28 classification in (a) through (i) of this subsection on any University  
29 of Washington campus. The employees in (a) through (i) of this  
30 subsection constitute an appropriate bargaining unit:

- 31 (a) Predoctoral instructor;
- 32 (b) Predoctoral lecturer;
- 33 (c) Predoctoral teaching assistant;
- 34 (d) Predoctoral teaching associates I and II;
- 35 (e) Tutors, readers, and graders in all academic units and tutoring  
36 centers;
- 37 (f) Predoctoral staff assistant;
- 38 (g) Predoctoral staff associates I and II;

1 (h) Predoctoral researcher, predoctoral research assistant, and  
2 predoctoral research associates I and II, except those who are  
3 performing research primarily related to their dissertation and who  
4 have incidental or no service expectations placed upon them by the  
5 university, are not employees and are excluded from coverage under this  
6 section; and

7 (i) All employees enrolled in an academic program whose duties and  
8 responsibilities are substantially equivalent to those employees in (a)  
9 through (h) of this subsection.

10 (2)(a) The scope of bargaining for employees at the University of  
11 Washington under this section excludes:

12 (i) The ability to terminate the employment of any individual if  
13 the individual is not meeting academic requirements as determined by  
14 the University of Washington;

15 (ii) The amount of tuition or fees at the University of Washington.  
16 However, tuition and fee remission and waiver is within the scope of  
17 bargaining;

18 (iii) The academic calendar of the University of Washington; and

19 (iv) The number of students to be admitted to a particular class or  
20 class section at the University of Washington.

21 (b)(i) Except as provided in (b)(ii) of this subsection, provisions  
22 of collective bargaining agreements relating to compensation must not  
23 exceed the amount or percentage established by the legislature in the  
24 appropriations act. If any compensation provision is affected by  
25 subsequent modification of the appropriations act by the legislature,  
26 both parties must immediately enter into collective bargaining for the  
27 sole purpose of arriving at a mutually agreed upon replacement for the  
28 affected provision.

29 (ii) The University of Washington may provide additional  
30 compensation to student employees covered by this section that exceeds  
31 that provided by the legislature.

32 NEW SECTION. **Sec. 3.** This act is necessary for the immediate  
33 preservation of the public peace, health, or safety, or support of the  
34 state government and its existing public institutions, and takes effect  
35 immediately.

--- END ---