
HOUSE BILL 2926

State of Washington 58th Legislature 2004 Regular Session

By Representatives Conway, Wood, Hudgins, Campbell, Darneille,
Simpson, G., Kenney, McDermott and Ormsby

Read first time 01/22/2004. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to protecting the human rights of workers to
2 organize; adding a new section to chapter 49.60 RCW; and creating a new
3 section.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that:

6 (1) Respect for human rights includes respect for fundamental
7 worker rights;

8 (2) The foundation of worker rights is freedom of association and
9 the effective recognition of the right to collectively bargain over
10 terms and conditions of employment;

11 (3) These rights have been adopted and proclaimed by the General
12 Assembly of the United Nations and the International Labor
13 Organization, of which the United States is a member state;

14 (4) As a member state, the United States has pledged to ensure that
15 its domestic labor law fully protects these fundamental worker rights;

16 (5) These fundamental worker rights are also a statutory right
17 under the law of the state of Washington;

18 (6) These worker rights are not adequately protected when

1 enforcement under the federal law is ineffective because of lengthy
2 delays and procedural barriers; and

3 (7) To ensure that workers are free of discrimination when
4 exercising their rights, a mechanism for supporting these rights is
5 necessary in state law.

6 NEW SECTION. **Sec. 2.** A new section is added to chapter 49.60 RCW
7 to read as follows:

8 (1) A petition may be filed with the commission by a person
9 claiming to be aggrieved because the exercise of his or her right under
10 RCW 49.36.010, or under any statute, treaty, or agreement of the United
11 States, to form, join, or assist, or to seek to form, join, or assist,
12 a labor organization, has been interfered with, restrained, or coerced
13 by another. Such a petition must be filed within six months of the
14 alleged interference, restraint, or coercion.

15 (2) Upon receiving a petition under this section, the chair of the
16 commission shall request the appointment of an administrative law judge
17 under Title 34 RCW to hear the petition in accordance with chapter
18 34.05 RCW, and shall cause to be issued and served in the name of the
19 commission a written notice, together with a copy of the petition,
20 requiring the respondent to appear at a hearing before the
21 administrative law judge, at a time and place to be specified in the
22 notice.

23 (3) The administrative law judge, within thirty days after the
24 conclusion of the hearing, shall issue and file with the commission
25 findings of fact determining whether the petitioner's rights have been
26 interfered with, restrained, or coerced. The commission shall cause
27 the findings to be served to the petitioner and respondent in an order
28 in the name of the commission.

29 (4) If the petitioner or the respondent is aggrieved by the order
30 issued under this section by the commission, the aggrieved party may
31 ask for reconsideration of the order by the commission within twenty
32 days of the party's receipt of the order. The commission shall review
33 the findings based on the record of the administrative law judge and
34 issue a further determinative order. The further determinative order
35 issued by the commission is final and not subject to further commission

1 or judicial review.

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