

SENATE BILL REPORT

ESB 6229

As Passed Senate, February 12, 2018

Title: An act relating to requiring employers to provide exclusive bargaining representatives reasonable access to new employees for the purposes of presenting information about their exclusive bargaining representative.

Brief Description: Requiring employers to provide exclusive bargaining representatives reasonable access to new employees for the purposes of presenting information about their exclusive bargaining representative.

Sponsors: Senators Van De Wege, Chase, Conway, Wellman, Hasegawa, Saldaña, Keiser, Hunt and Kuderer.

Brief History:

Committee Activity: Labor & Commerce: 1/24/18, 1/29/18 [DP-WM, DNP].

Floor Activity:

Passed Senate: 2/12/18, 27-20.

Brief Summary of Engrossed Bill

- Requires certain public employers to provide exclusive bargaining representatives reasonable access to new employees of the bargaining unit to present information about the exclusive bargaining representative to the new employee.

SENATE COMMITTEE ON LABOR & COMMERCE

Majority Report: Do pass and be referred to Committee on Ways & Means.

Signed by Senators Keiser, Chair; Hasegawa, Vice Chair; Conway, Kuderer and Saldaña.

Minority Report: Do not pass.

Signed by Senators Braun, King and Wilson.

Staff: Jarrett Sacks (786-7448)

Background: Some public sector collective bargaining agreements contain provisions that allow a union representative to make a presentation to new employees at employee

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orientations. Generally, new employee access provisions are bargained for in the collective bargaining process, and the agreement may specify how much time a union representative has, as well as the locations and times of the presentations to new employees.

Last year, California passed legislation that requires public sector employers to provide union representatives access to new employee orientations for the purposes of communicating the rights and obligations created by the contract and the role of the union representative.

Summary of Engrossed Bill: Under state collective bargaining law, an employer must provide the exclusive bargaining representative reasonable access to new employees of the bargaining unit for the purpose of presenting information about the exclusive bargaining representative to the new employees. The presentation may occur at a new employee orientation or at another time mutually agreed to by the employer and the bargaining representative. No employee may be mandated to attend the meetings or presentations by the exclusive bargaining representative.

Reasonable access means that the access occurs within 90 days of the employee's start date and the access is for no less than 30 minutes. However, an employer may agree to longer and more frequent new employee access. The access must occur during the employee's regular work hours at the employee's regular worksite, unless another time and place is mutually agreed to by the employer and bargaining representative.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

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

Staff Summary of Public Testimony: PRO: Employees benefit from knowing what their bargaining representative can do for them, their rights, and what benefits representation brings. This bill will protect workers rights by giving them an orientation to know their rights and union protocols. It is important for workers to learn about their working conditions.

CON: This bill is a solution to something that is not a problem. Most collective bargaining agreements already contain these types of provisions. These meetings are used to pressure employees into joining the union and to donate to union PACs. Employees are not informed the meeting is optional and are not provided information on how to leave the union or stop the deductions.

Persons Testifying: PRO: Senator Kevin Van De Wege, Prime Sponsor; Lucinda Young, Washington Education Association; Brenda Wiest, Teamsters 117.

CON: Maxford Nelsen, Freedom Foundation; Andrea Vangor, citizen.

Persons Signed In To Testify But Not Testifying: No one.