

FINAL BILL REPORT

SHB 2017

C 77 L 20
Synopsis as Enacted

Brief Description: Concerning collective bargaining for administrative law judges.

Sponsors: House Committee on Appropriations (originally sponsored by Representatives Frame, Dolan, Fitzgibbon, Stanford, Kilduff, Macri, Ryu, Valdez, Tarleton and Pollet).

House Committee on Labor & Workplace Standards

House Committee on Appropriations

Senate Committee on Labor & Commerce

Senate Committee on Ways & Means

Background:

The Personnel System Reform Act.

With certain exceptions, state employees covered by the state civil service laws have collective bargaining under the Personnel System Reform Act (PSRA) for wages, hours, and other terms and conditions of employment. Under the PSRA, state agencies are generally represented by the Governor for purposes of negotiations.

The PSRA provides for multi-employer bargaining and coalition bargaining. Exclusive bargaining representatives of more than one bargaining unit must negotiate one master collective bargaining agreement covering all of the represented employees. Exclusive bargaining representatives that represent fewer than 500 employees each must bargain in a coalition, with one master agreement covering all of the employees represented by the coalition.

Administrative Law Judges.

The administrative appeals process provides an avenue for people and businesses to dispute agency decisions. The Office of Administrative Hearings (OAH) conducts administrative hearings on behalf of certain state agencies and some local governments. Its largest caseloads relate to unemployment benefits for the Employment Security Department, child support decisions for the Department of Social and Health Services, and Medicaid appeals for the Health Care Authority.

The OAH is under the direction of a Chief Administrative Law Judge (ALJ), appointed by the Governor with consent of the Senate. The Chief appoints ALJs, who usually specialize in

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certain areas of practice, and may contract with individuals to serve as an ALJ for specified hearings.

The ALJs are not subject to the state civil service laws; therefore, the PSRA does not apply to ALJs.

Summary:

Certain ALJs are granted collective bargaining rights under the PSRA. The ALJs that do not have the right to collectively bargain are ALJs in manager positions, including deputy chief ALJs, division chief ALJs, and assistant chief ALJs, ALJs serving on a contractual basis, confidential employees, and any ALJ who reports directly to the Chief ALJ.

The only unit appropriate for the purposes of collective bargaining is a statewide unit of all ALJs who are not otherwise excluded from bargaining.

Votes on Final Passage:

House	57	40
Senate	29	18

Effective: March 19, 2020