

HOUSE BILL REPORT

HB 2037

As Reported by House Committee On:
Labor & Workplace Standards
Appropriations

Title: An act relating to providing sergeants of the department of fish and wildlife interest arbitration under certain circumstances.

Brief Description: Providing sergeants of the department of fish and wildlife interest arbitration under certain circumstances.

Sponsors: Representatives Sells and Pollet.

Brief History:

Committee Activity:

Labor & Workplace Standards: 2/18/19, 2/19/19 [DP];

Appropriations: 2/27/19, 2/28/19 [DPS].

Brief Summary of Substitute Bill

- Grants interest arbitration to sergeants of the Department of Fish and Wildlife if the exclusive bargaining representative for the sergeants chooses to bargain agency-specific issues separate from coalition bargaining.
- Limits the agency-specific issues the sergeants may bargain to those within the scope of state employee bargaining.

HOUSE COMMITTEE ON LABOR & WORKPLACE STANDARDS

Majority Report: Do pass. Signed by 4 members: Representatives Sells, Chair; Chapman, Vice Chair; Gregerson and Ormsby.

Minority Report: Do not pass. Signed by 3 members: Representatives Mosbrucker, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Hoff.

Staff: Trudes Tango (786-7384).

Background:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

The Personnel System Reform Act.

The Personnel System Reform Act (PSRA) provides for collective bargaining of wages, hours, and other terms and conditions of employment with classified employees of state agencies and institutions of higher education. The PSRA does not provide for interest arbitration.

The Public Employees' Collective Bargaining Act (PECBA) does provide interest arbitration for certain uniformed personnel, including the Washington State Patrol (WSP). The PECBA establishes procedures for arbitration, including requiring parties to mediate first. In addition, for the WSP, the Governor is required to submit to the Legislature a request for funds to implement the compensation provisions of an agreement. Before the Governor may submit the request, the Director of the Office of Financial Management (OFM) must have certified it to be feasible financially or, in the case of interest arbitration, certified that the request reflects the decision of an arbitration panel.

The PSRA provides for multi-employer bargaining and coalition 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.

The Department of Fish and Wildlife.

The Department of Fish and Wildlife (DFW) enforcement officers bargain under the PSRA and are part of the coalition bargaining.

Summary of Bill:

Sergeants of the DFW remain part of coalition bargaining and are granted interest arbitration under certain conditions. If the exclusive bargaining representative for the sergeants chooses to enter into separate bargaining with the employer regarding agency-specific issues, interest arbitration provisions apply.

Interest arbitration procedures for the DFW sergeants are similar to the procedures for the WSP officers, including requiring mediation first and requiring the Governor to submit a request for funds to the OFM before submitting the request to the Legislature.

Agency-specific issues include but are not limited to rates of pay and other compensation.

Appropriation: None.

Fiscal Note: Requested on February 14, 2019.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) This bill is just for sergeants of the DFW. They are general authority police officers and enforce all the laws of the state.

(Opposed) None.

Persons Testifying: Erik Olsen, Department of Fish and Wildlife and Teamsters; and Steve Bear, Department of Fish and Wildlife.

Persons Signed In To Testify But Not Testifying: None.

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 23 members: Representatives Ormsby, Chair; Bergquist, 2nd Vice Chair; Robinson, 1st Vice Chair; MacEwen, Assistant Ranking Minority Member; Rude, Assistant Ranking Minority Member; Chandler, Cody, Dolan, Fitzgibbon, Hansen, Hudgins, Jinkins, Macri, Pettigrew, Pollet, Ryu, Senn, Springer, Stanford, Steele, Sullivan, Tarleton and Tharinger.

Minority Report: Do not pass. Signed by 9 members: Representatives Stokesbary, Ranking Minority Member; Caldier, Dye, Hoff, Kraft, Mosbrucker, Schmick, Sutherland and Ybarra.

Staff: David Pringle (786-7310).

Summary of Recommendation of Committee On Appropriations Compared to Recommendation of Committee On Labor & Workplace Standards:

The Appropriation recommendation limited the agency-specific issues that sergeants of the Department of Fish and Wildlife may separately bargain to items within the scope of state employee bargaining under RCW 41.80.020.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) None.

(Opposed) None.

Persons Testifying: None.

Persons Signed In To Testify But Not Testifying: None.