

# HOUSE BILL REPORT

## SB 5199

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**As Passed House:**  
April 10, 2019

**Title:** An act relating to granting certain correctional employees binding interest arbitration.

**Brief Description:** Granting certain correctional employees binding interest arbitration.

**Sponsors:** Senators Keiser, Conway, McCoy, Hunt, Das, Saldaña, Wilson, C., Hasegawa and Van De Wege.

**Brief History:**

**Committee Activity:**

Labor & Workplace Standards: 3/21/19, 3/26/19 [DP].

**Floor Activity:**

Passed House: 4/10/19, 75-20.

**Brief Summary of Bill**

- Grants correctional employees of regional jails and certain juvenile detention facilities interest arbitration under the Public Employees' Collective Bargaining Act.

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### 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:**

The Public Employees' Collective Bargaining Act.

Employees of cities, counties, and other political subdivisions of the state bargain their wages and working conditions under the Public Employees' Collective Bargaining Act (PECBA).

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*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.*

For certain uniformed personnel, the PECBA provides for interest arbitration if the parties are at an impasse in negotiations for a contract and cannot reach resolution through mediation. Under interest arbitration, an impartial third-party makes decisions regarding the unresolved terms of the contract.

Uniformed personnel who are granted interest arbitration include, among others:

- firefighters;
- law enforcement officers in cities and counties of a certain size;
- general authority peace officers and firefighters employed by certain port districts;
- certain correctional employees of jails in counties with populations of 70,000 or more;
- security forces at nuclear power plants; and
- Washington State Patrol officers.

#### Regional Jails.

Two or more local governments, or one or more local governments and the state, may create and operate regional jails. Regional jails may be governed by representatives from multiple jurisdictions in compliance with the Interlocal Cooperation Act.

#### Juvenile Detention Facilities.

Under the Juvenile Justice Act, a detention facility is a county facility, paid for by the county, for the physical confinement of a juvenile alleged to have committed an offense or an adjudicated offender subject to a disposition or modification order.

#### **Summary of Bill:**

The following correctional employees are added to the definition of "uniformed personnel" and granted interest arbitration under the PECBA:

- employees of a regional jail who are trained for and charged with the responsibility of controlling and maintaining custody of inmates in the jail and safeguarding inmates from other inmates; and
- employees in a juvenile detention facility located in a county with a population over 1.5 million who are trained for and charged with the responsibility of controlling and maintaining custody of inmates in the jail and safeguarding inmates from other inmates.

**Appropriation:** None.

**Fiscal Note:** Available.

**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) The bill is narrow in scope and only applies to employees in the regional jail, which is operated by several cities, and the King County Juvenile Detention facility (juvenile facility). Employees in other correctional facilities have interest arbitration, which allows

them to negotiate for a fair deal. Officers in the regional jail are faced with a unique set of problems because they are governed and managed by seven cities. The juvenile facility is losing some of its employees to the adult system because they have interest arbitration. Interest arbitration creates a fair process at the beginning, and both parties have incentive to work in good faith.

(Opposed) None.

**Persons Testifying:** Jason Smith and Adam Hoppis, King County Juvenile Detention Guild; Joshua Pennell and Joseph Limata, South Correctional Entity Regional Jail Officer Guild; and Jim Cline, Cline & Associates.

**Persons Signed In To Testify But Not Testifying:** None.