

HOUSE BILL REPORT

SSB 5297

As Reported by House Committee On: Labor & Workplace Standards

Title: An act relating to extending collective bargaining rights to assistant attorneys general.

Brief Description: Extending collective bargaining rights to assistant attorneys general.

Sponsors: Senate Committee on Labor & Commerce (originally sponsored by Senators Hunt, Conway, Keiser, Dhingra, Saldaña, Kuderer and Pedersen).

Brief History:

Committee Activity:

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

Brief Summary of Substitute Bill

- Grants Assistant Attorneys General collective bargaining rights under the Personnel System Reform Act.

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 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. The PSRA does not contain interest arbitration provisions. Under the PSRA, for purposes of negotiations, state agencies are generally represented by the Governor.

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 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.

The Office of the Attorney General.

The Attorney General (AG) represents the state, including state officials, departments, agencies, and boards and commissions. The AG may appoint assistants and set their compensation. Assistant Attorneys General (AAGs) are explicitly excluded from the state civil service laws; therefore, the PSRA does not apply to AAGs.

Summary of Bill:

Assistant Attorneys General are granted collective bargaining under the PSRA. Division chiefs, Deputy Attorneys General, AAGs in the labor and personnel division, the solicitor general, special AAGs, confidential employees, and any AAG or deputy AG who reports directly to the AG are excluded from bargaining.

The only unit appropriate for the purposes of collective bargaining is a statewide unit of all AAGs authorized to bargain. The Governor or Governor's designee and the exclusive bargaining representative must negotiate one master collective bargaining agreement for AAGs.

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) Assistant Attorneys General are line workers. Retention and maintaining high quality AAGs are issues in the AG's office. It is difficult to make future plans when there is no certainty about salaries. There is no grid or salary predictability. Raises are sporadic. The AAGs in other states, such as Oregon, have the right to bargain.

(Opposed) None.

(Other) The bill should be amended to include provisions: prohibiting cross-check in order to guarantee the employee's right to vote by secret ballot; protecting the employee's first

amendment rights regarding dues authorizations; and making the bargaining process transparent to allow taxpayers to evaluate and monitor use of taxpayer money.

Persons Testifying: (In support) Senator Hunt, prime sponsor; Mike Webb, Allyson Bazan, Ari Robbins, and R. July Simpson, Office of the Attorney General; and Dennis Eagle, Washington Federation of State Employees.

(Other) Maxford Nelsen, Freedom Foundation.

Persons Signed In To Testify But Not Testifying: None.