

WAC 391-95-056 Special provision—State civil service employees—Response of exclusive bargaining representative. Within sixty days after it is served with written notice of a claimed right of nonassociation under WAC 391-95-036, the exclusive bargaining representative shall provide a written response to the employee, setting forth the position of the exclusive bargaining representative on the matter.

(1) For employees asserting the right of nonassociation under RCW 41.80.100, the response of the exclusive bargaining representative shall address:

(a) The eligibility of the employee to make alternative payments; and either

(b) If designated by the employee under WAC 391-95-036, acceptance or rejection of the program or charitable organization designated by an employee under WAC 391-95-036; or

(2) If the employee fails to designate a program of the exclusive bargaining representative that would be in harmony with the employees' individual conscience under WAC 391-95-036, the employee organization shall provide a list of designated program(s) of the employee organization to receive funds paid under the nonassociation provision to the employee.

(3) Within sixty days after being presented with a list under this subsection, the employee asserting a right of nonassociation shall provide the employee organization with written notice of his or her designation of the purpose or purposes on that list, if any, that are in harmony with his or her individual conscience. If the employee fails to timely designate a program, the labor organization may choose a program from the list, provided that the list clearly informs the employee of this consequence. The employee may subsequently choose a different program.

(4) The requirements of this section are procedural only, and shall not be a basis to void or negate obligations under the union security provisions of a collective bargaining agreement.

[Statutory Authority: RCW 41.58.050, 41.80.100. WSR 08-04-058, § 391-95-056, filed 1/31/08, effective 4/1/08.]