

FROM: State Board for Community College Education
(Name of Agency)

TO: CODE REVISER
LEGISLATIVE BLDG (Southwest Corner, Ground Floor)
Olympia 98501

The enclosed Permanent rules , being order No. 21
Emergency rules

relating to (Name of rules or description of subject matter)

the operation of impasse committees

(ALTERNATIVE A. Use only for adoption of permanent rules)

pursuant to Notice No. 4266 ① filed with the code reviser
on 9/17/73 ② were regularly adopted as permanent rules of this
(date)
agency at Olympia, Washington on 10/11/73 and are herewith
(place) (date)
filed in the office of the code reviser pursuant to chapter 34.04
RCW. The effective date of such rules shall be _____ ③

(ALTERNATIVE B. Use only for adoption of emergency rules)

pursuant to its finding that the immediate adoption of
these rules is necessary for the preservation of the public
health, safety, or general welfare and that observance of the
requirements of notice and opportunity to present views on
the proposed action would be contrary to the public interest,
were regularly adopted as emergency rules of this agency at
_____ on _____ and are herewith filed in
(place) (date)
the office of the code reviser pursuant to chapter 34.04 RCW.

The undersigned hereby certifies that the requirements of chapter
34.04 RCW and of the Open Public Meetings Act of 1971, chapter
42.30 RCW (1971 ex.s. c 250) have been fulfilled.

Dated this 16th day of November 1973.

STATE OF WASHINGTON
FILED
NOV 21 1973
CODE REVISER'S OFFICE
DOCKET # 3350 FILE # 1

State Board for Community College Education
(AGENCY)
[Signature]
By _____
Assistant Director
Title _____

① NOTICE NUMBER AS APPEARS ON THE COPY OF NOTICE RETURNED TO YOU BY REVISER'S OFFICE (IF PROCEEDINGS WERE CONTINUED, USE NO. OF LAST NOTICE)
② STAMPED DATE AS APPEARS ON THE COPY OF NOTICE RETURNED TO YOU BY REVISER'S OFFICE (IF PROCEEDINGS WERE CONTINUED, USE DATE OF LAST NOTICE)
③ UNLESS A LATER DATE IS SPECIFIED IN THIS ORDER OR IS PRESCRIBED IN ANOTHER STATUTE, RULES ARE EFFECTIVE 30 DAYS AFTER FILING:
RCW 34.04.040. LEAVE THIS SPEACE BLANK EXCEPT IN SUCH SPECIAL CASES.
FORM REVISED, EFFECTIVE 8/9/71 [FORM CR-2]

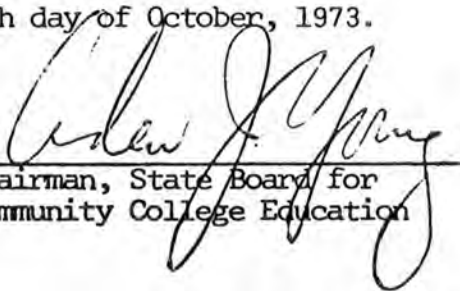
STATE OF WASHINGTON
STATE BOARD FOR COMMUNITY COLLEGE EDUCATION
RESOLUTION NO. 73-54, ADMINISTRATIVE ORDER NO. 21
SBCCE ORDER REGISTER

A resolution relating to the rules concerning dispute settlement and negotiations impasse advisory committees of the State Board for Community College Education.

BE IT RESOLVED by the State Board for Community College Education that the WAC regulations relating to fact finding, mediation, and procedures for operation of impasse advisory committees under RCW 28B.52, attached hereto and made a part hereof, are hereby approved and adopted as permanent rules of the State Board for Community College Education, and hereby repealing section 2.70.08.

This resolution and the annexed regulations, after being first recorded as an administrative order in the order register of the State Board for Community College Education, shall be forwarded to the Code Reviser for filing pursuant to RCW 34.04 and WAC 1-12-050.

Approved and adopted this 11th day of October, 1973.


Chairman, State Board for
Community College Education

CHAPTER 131-34

EMPLOYEE RELATIONS
AND COLLECTIVE BARGAINING

WAC 131-34-010 FACT FINDING AND MEDIATION BY STATE DIRECTOR. When mutually consented to by the parties negotiating pursuant to the provisions of Chapter 28B.52 RCW (the Academic Employees Negotiations Act), the director will conduct fact finding and mediation activities related to unresolved or disputed issues; such activities shall include recommending possible solutions, exchanging proposals and communications, utilizing expert consultants, and scheduling joint meetings of the parties for the purpose of attempting to resolve such issues.

WAC 131-34-020 PROCEDURES FOR OPERATIONS OF IMPASSE ADVISORY COMMITTEES. When, after having given the required written twenty-four hour notice to the other party, an authorized bargaining representative or a district board of trustees, or its designee, requests in writing the assistance of the director in resolving a disputed issue being negotiated pursuant to Chapter 28B.52 RCW, the following procedures will be observed:

(1) The director or his designee will conduct a preliminary investigation for the purpose of determining if in his judgment a negotiations impasse in fact has occurred.

(2) Upon concurring that an impasse exists, the director will appoint an impasse advisory committee of sufficient size and composition that in his judgment is appropriate to the circumstances of the dispute and designate its chairman.

(3) Members of the committee will serve without compensation, but will be reimbursed from the administrative funds appropriated to the State Board for travel and expenses at established rates for State Board staff personnel.

(4) The committee will meet in a location convenient to the parties at impasse, giving reasonable notice of its meeting and providing ample opportunity for both parties to present testimony.

(5) The parties at impasse will exchange and provide the committee with copies of a written statement of the events that preceded the impasse, statement of the problem or issue that led to impasse, and in addition to any other information, records, statistical compilations, reports, or communications relevant to the impasse as the committee or the director may request.

(6) The committee may meet with such individuals or groups other than the bargaining representative and the board of trustees, or its designee, as it determines to have information germane to the impasse.

(7) The committee may issue a written report with recommendations within twenty calendar days of receipt of the request for assistance.

(8) Meetings of the committee shall not be open to individuals other than representatives of the parties at impasse, unless the attendance of such individuals is specifically requested by the committee.

(9) The committee will not normally issue statements to the public or the communications media other than to indicate the initiating and concluding of its activities.

(10) The major purpose of the committee shall be to make recommendations intended to resolve the issues 2

or problems upon which the impasse was declared. The committee shall normally confine its investigation to such matters to the end that the negotiating relationship can be re-established and concluded in the manner set forth in law and the duly adopted procedural agreements governing district-level negotiations.

WAC 131-34-030 DECLARATION OF IMPASSE. The party declaring an impasse shall specify in writing the issue or issues upon which the declaration is based, which may include such factors as insufficient negotiations, refusal to negotiate, procedural disagreement, mutual agreement to seek the advice of an impasse committee, or other similar reasons. The declaring party shall provide detailed documentation to support the request. In the event the director denies the request, he shall propose alternative means of resolving the issue or issues, including provision for such activities as fact-finding and mediation.