HOUSE BILL REPORT

HB 1286

As Passed House
January 24, 1992

Title: An act relating to collective bargaining for superior court employees.

Brief Description: Revising collective bargaining provisions for superior court employees.

Sponsor(s): Representatives Franklin, Winsley, R. King and Wineberry.

Brief History:
Reported by House Committee on:
Commerce & Labor, February 19, 1991, DP;
Appropriations, March 9, 1991, DP;
Passed House, March 19, 1991, 91-5;
Passed House, January 24, 1992, 95-0.

HOUSE COMMITTEE ON COMMERCE & LABOR

Majority Report: *Do pass.* Signed by 10 members: Representatives Heavey, Chair; Cole, Vice Chair; Fuhrman, Ranking Minority Member; Lisk, Assistant Ranking Minority Member; Franklin; Jones; R. King; O'Brien; Prentice; and Vance.

Staff: Chris Cordes (786-7117).

Background: The Public Employees Collective Bargaining Act covers all municipal and county employees, with specified exceptions. In 1975, the Washington State Supreme Court decided that certain employees of the superior courts who are paid by the county are only covered under the collective bargaining act with respect to bargaining over wages. The court determined that the judicial branch was the employer for purposes of hiring, firing, and working conditions. It reasoned, therefore, that these employees were state employees who were not included under the bargaining act, except for wage bargaining.

The Legislature passed Substitute House Bill 226 in 1987, making agreements executed under the collective bargaining laws applicable to all executive heads, including judges, of bargaining units. The governor vetoed the bill.

Summary of Bill: The public employee collective bargaining laws are made applicable to superior courts. The public employer of the superior court employees with respect to collective bargaining over wage-related matters is the county legislative authority. The public employer with respect to nonwage-related matters is the judge or judge's designee. Each judge may exclude no more than one personal assistant from a bargaining unit.

Fiscal Note: Requested February 4, 1991.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: For a number of years, there have been attempts to cover court employees for collective bargaining purposes. One bill that would have covered superior court employees was vetoed. District court employees now have bargaining authority over non-wage related matters with the judges, and there should be similar authority for employees at the superior courts.

Testimony Against: None.

Witnesses: Sam Kinville, Washington State Council of County and City Employees.

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: *Do pass.* Signed by 20 members: Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Appelwick; Belcher; Braddock; Brekke; Dorn; Ebersole; Hine; Lisk; May; Mielke; Peery; Pruitt; Rust; H. Sommers; Sprenkle; Valle; and Wineberry.

Minority Report: *Do not pass.* Signed by 8 members: Representatives Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Bowman; Ferguson; Fuhrman; McLean; Nealey; and Vance.

Staff: Barbara McLain (786-7153).

Summary of Recommendation of Committee on Appropriations Compared to Recommendation of Committee on Commerce & Labor: No changes were recommended.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: District court employees already have the right to bargain in this fashion. Superior court employees should have a similar ability.

Testimony Against: None.

Witnesses: Sam Kinville, Washington State Council of County and City Employees.