

**FINAL BILL REPORT**

**SB 5105**

**C 36 L 92**

**SYNOPSIS AS ENACTED**

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

**SPONSORS:** Senators Rasmussen, Moore and West

**SENATE COMMITTEE ON COMMERCE & LABOR**

**HOUSE COMMITTEE ON COMMERCE & LABOR**

**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.

In a 1986 decision, the Public Employment Relations Commission applied the court's reasoning to district court employees. The commission held that district court employees are state employees for personnel matters other than wages. Therefore, those employers are entitled to collectively bargain with the county employer only over wages and wage related matters. The commission did not find a requirement for district court judges to collectively bargain over other personnel matters.

In 1987, the Legislature passed a bill making agreements executed under the collective bargaining act applicable to all executive heads of bargaining units, including judges. The meaning of the term "public employer" was amended to include judges. The Governor vetoed the bill.

In 1989 a bill making the collective bargaining laws applicable to district courts passed. With respect to wage matters, the employer is the county, while the judge is the employer with respect to nonwage matters. Each judge may exclude one personal assistant from the bargaining unit.

**SUMMARY:**

The Public Employees Collective Bargaining Act is made applicable to superior courts for all matters. The public employer of the court employees for collective bargaining over wage issues is the county legislative authority. The public employer for collective bargaining over non-wage issues is the

judge or judge's designee. Each judge or court commissioner may exclude one personal assistant from the bargaining unit.

**VOTES ON FINAL PASSAGE:**

Senate	44	3
House	96	0

**EFFECTIVE:** June 11, 1992