
ENGROSSED HOUSE BILL 1122

State of Washington 52nd Legislature 1991 Regular Session

By Representatives Heavey, Cole and Prentice.

Read first time January 21, 1991. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to labor relations consultants; and adding a new
2 chapter to Title 18 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** The legislature finds and declares that the
5 use of outside consultants is an increasing element in public sector
6 labor relations. The public has a right to be kept informed about the
7 role of outside consultants in public sector labor relations. The
8 purpose of this chapter is to help ensure that public information is
9 available and that there is fair play in industrial relations by
10 requiring labor relations consultants to disclose their activities.

11 NEW SECTION. **Sec. 2.** This chapter shall be known and cited as
12 the "labor relations consultants act."

1 NEW SECTION. **Sec. 3.** The following definitions apply throughout
2 this chapter.

3 (1) "Public employer" means an officer, board, commission, council,
4 or other person or body acting on behalf of a county, or municipal
5 corporation, or a political subdivision of the state.

6 (2) "Labor relations consultant" or "consultant" means any person
7 who, for compensation, advises or represents a public employer or labor
8 organization concerning the organizing or collective bargaining
9 activities of the public employer's employees. "Labor relations
10 consultant" or "consultant" does not include employees of a public
11 employer or labor organization or parent organization of a labor
12 organization.

13 (3) "Labor organization" means an organization in which employees
14 of the public employer participate and which exists for the purpose, in
15 whole or part, of dealing with public employers concerning terms and
16 conditions of employment.

17 (4) "Compensation" means money, property, or anything else of
18 value.

19 NEW SECTION. **Sec. 4.** Any person who wishes to act as a labor
20 relations consultant must register with the secretary of state's office
21 and provide his or her name, business address, home address, and
22 business and home phone numbers. Failure to register with the
23 secretary of state prior to acting as a labor relations consultant is
24 a violation of this chapter.

25 NEW SECTION. **Sec. 5.** Labor relations consultants who have
26 registered must inform the secretary of state of any changes in their
27 name, addresses, or phone numbers within thirty days of the change.

1 Failure to inform the secretary of state of changes in the required
2 time is a violation of this chapter.

3 NEW SECTION. **Sec. 6.** (1) Within thirty days of entering into an
4 agreement or arrangement with a public employer or labor organization
5 to act as a labor relations consultant, a consultant shall file with
6 the secretary of state a detailed statement of the terms and conditions
7 of the agreement or arrangement. Any labor relations consultant
8 working under an agreement or arrangement on the effective date of this
9 section shall file the detailed statement within thirty days of the
10 effective date of this section.

11 (2) Each labor relations consultant required to file a report under
12 subsection (1) of this section shall file annually, with respect to
13 each fiscal year during which payments were made as a result of an
14 agreement or arrangement, a statement of his or her compensation from
15 public employers or labor organizations for labor relations consulting
16 services in this state, designating the sources of the receipts.

17 (3) The secretary of state shall adopt rules specifying the
18 information required to be filed under this section and the form in
19 which the information is to be filed.

20 NEW SECTION. **Sec. 7.** In addition to any other authority provided
21 by law, the secretary of state may:

22 (1) Adopt rules under chapter 34.05 RCW necessary to implement and
23 administer this chapter;

24 (2) Establish registration fees, which shall be at a sufficient
25 level to defray the costs of administering this chapter;

26 (3) Establish the procedural requirements and fees for renewal of
27 registration;

- 1 (4) Establish forms and procedures necessary to administer this
- 2 chapter;
- 3 (5) Register applicants;
- 4 (6) Hire clerical, administrative, and other staff as needed to
- 5 implement this chapter; and
- 6 (7) Maintain the official record of all applicants and registrants.

7 NEW SECTION. **Sec. 8.** The legislature finds and declares that any
8 violation of this chapter substantially affects the public interest and
9 is an unfair and deceptive act or practice and unfair method of
10 competition in the conduct of trade or commerce as set forth in RCW
11 19.86.020.

12 NEW SECTION. **Sec. 9.** Sections 1 through 8 of this act shall
13 constitute a new chapter in Title 18 RCW.