

1 **SSB 5483 - H COMM AMD ADOPTED 4-8-93**

2 By Committee on Commerce & Labor

3 Strike everything after the enacting clause and insert the  
4 following:

5 "NEW SECTION. **Sec. 1.** A new section is added to chapter  
6 41.56 RCW to read as follows:

7 In addition to the classes of employees listed in RCW  
8 41.56.030(7), the provisions of RCW 41.56.430 through 41.56.452,  
9 41.56.470, 41.56.480, and 41.56.490 shall also be applicable to the  
10 employees of a public passenger transportation system of a  
11 metropolitan municipal corporation, county transportation  
12 authority, public transportation benefit area, or city public  
13 passenger transportation system, subject to the following:

14 (1) Negotiations between the public employer and the  
15 bargaining representative may commence at any time agreed to by the  
16 parties. If no agreement has been reached ninety days after  
17 commencement of negotiations, either party may demand that the  
18 issues in disagreement be submitted to a mediator. The services of  
19 the mediator shall be provided by the commission without cost to  
20 the parties, but nothing in this section or RCW 41.56.440 shall be  
21 construed to prohibit the public employer and the bargaining  
22 representative from agreeing to substitute at their own expense  
23 some other mediator or mediation procedure; and

24 (2) If an agreement has not been reached following a  
25 reasonable period of negotiations and mediation, and the mediator  
26 finds that the parties remain at impasse, either party may demand  
27 that the issues in disagreement be submitted to an arbitration  
28 panel for a binding and final determination. In making its  
29 determination, the arbitration panel shall be mindful of the  
30 legislative purpose enumerated in RCW 41.56.430 and as additional

1 standards or guidelines to aid it in reaching a decisions, shall  
2 take into consideration the following factors:

3 (a) The constitutional and statutory authority of the  
4 employer;

5 (b) Stipulations of the parties;

6 (c) Compensation package comparisons, economic indices, fiscal  
7 constraints, and similar factors determined by the arbitration  
8 panel to be pertinent to the case; and

9 (d) Such other factors, not confined to the foregoing, which  
10 are normally or traditionally taken into consideration in the  
11 determination of wages, hours, and conditions of employment."

EFFECT: The amendment moves the authority for binding arbitration to the Public Employees' Collective Bargaining Act, making the standard provisions under the PECBA generally applicable to the transit employees. This includes provisions stating that the arbitration panel functions as a state agency and provisions prohibiting strikes. The amendment retains the arbitration panel standards from the substitute bill.