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HOUSE BILL 2807

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State of Washington                      59th Legislature                      2006 Regular Session

By Representatives Haigh and McDermott

Read first time 01/13/2006. Referred to Committee on Commerce & Labor.

1            AN ACT Relating to deducting union dues for state employees; and  
2 amending RCW 41.80.100 and 41.04.230.

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

4            **Sec. 1.** RCW 41.80.100 and 2002 c 354 s 311 are each amended to  
5 read as follows:

6            (1) A collective bargaining agreement may contain a union security  
7 provision requiring as a condition of employment the payment, no later  
8 than the thirtieth day following the beginning of employment or July 1,  
9 2004, whichever is later, of an agency shop fee to the employee  
10 organization that is the exclusive bargaining representative for the  
11 bargaining unit in which the employee is employed. The amount of the  
12 fee shall be equal to the amount required to become a member in good  
13 standing of the employee organization. Each employee organization  
14 shall establish a procedure by which any employee so requesting may pay  
15 a representation fee no greater than the part of the membership fee  
16 that represents a pro rata share of expenditures for purposes germane  
17 to the collective bargaining process, to contract administration, or to  
18 pursuing matters affecting wages, hours, and other conditions of  
19 employment.

1 (2) An employee who is covered by a union security provision and  
2 who asserts a right of nonassociation based on bona fide religious  
3 tenets, or teachings of a church or religious body of which the  
4 employee is a member, shall, as a condition of employment, make  
5 payments to the employee organization, for purposes within the program  
6 of the employee organization as designated by the employee that would  
7 be in harmony with his or her individual conscience. The amount of the  
8 payments shall be equal to the periodic dues and fees uniformly  
9 required as a condition of acquiring or retaining membership in the  
10 employee organization minus any included monthly premiums for insurance  
11 programs sponsored by the employee organization. The employee shall  
12 not be a member of the employee organization but is entitled to all the  
13 representation rights of a member of the employee organization.

14 (3) (~~Upon filing with the employer the written authorization of a~~  
15 ~~bargaining unit employee~~) Under a union security provision negotiated  
16 under this chapter, the employee organization that is the exclusive  
17 bargaining representative of the bargaining unit shall have the  
18 exclusive right to have deducted from the salary of the employee an  
19 amount equal to the fees and dues uniformly required as a condition of  
20 acquiring or retaining membership in the employee organization. The  
21 fees and dues shall be deducted each pay period from the pay of all  
22 bargaining unit employees (~~who have given authorization for the~~  
23 ~~deduction~~) and shall be transmitted by the employer as provided for by  
24 agreement between the employer and the employee organization.

25 (4) Employee organizations that before July 1, 2004, were entitled  
26 to the benefits of this section shall continue to be entitled to these  
27 benefits.

28 **Sec. 2.** RCW 41.04.230 and 2002 c 61 s 5 are each amended to read  
29 as follows:

30 Any official of the state authorized to disburse funds in payment  
31 of salaries and wages of public officers or employees is authorized,  
32 upon written request of the officer or employee, or under a union  
33 security provision in a collective bargaining agreement, to deduct from  
34 the salaries or wages of the officers or employees, the amount or  
35 amounts of subscription payments, premiums, contributions, or  
36 continuation thereof, for payment of the following:

1 (1) Credit union deductions: PROVIDED, That twenty-five or more  
2 employees of a single state agency or a total of one hundred or more  
3 state employees of several agencies have authorized such a deduction  
4 for payment to the same credit union. An agency may, in its own  
5 discretion, establish a minimum participation requirement of fewer than  
6 twenty-five employees.

7 (2) Parking fee deductions: PROVIDED, That payment is made for  
8 parking facilities furnished by the agency or by the department of  
9 general administration.

10 (3) U.S. savings bond deductions: PROVIDED, That a person within  
11 the particular agency shall be appointed to act as trustee. The  
12 trustee will receive all contributions; purchase and deliver all bond  
13 certificates; and keep such records and furnish such bond or security  
14 as will render full accountability for all bond contributions.

15 (4) Board, lodging or uniform deductions when such board, lodging  
16 and uniforms are furnished by the state, or deductions for academic  
17 tuitions or fees or scholarship contributions payable to the employing  
18 institution.

19 (5) Dues and other fees deductions: PROVIDED, That the deduction  
20 is for payment of membership dues to any professional organization  
21 formed primarily for public employees or college and university  
22 professors: AND PROVIDED, FURTHER, That twenty-five or more employees  
23 of a single state agency, or a total of one hundred or more state  
24 employees of several agencies have authorized such a deduction for  
25 payment to the same professional organization.

26 (6) Labor or employee organization dues may be deducted in the  
27 event that a payroll deduction is not provided under a collective  
28 bargaining agreement under the provisions of (~~RCW 41.06.150~~) chapter  
29 41.80 RCW: PROVIDED, That twenty-five or more officers or employees of  
30 a single agency, or a total of one hundred or more officers or  
31 employees of several agencies have authorized such a deduction for  
32 payment to the same labor or employee organization: PROVIDED, FURTHER,  
33 That labor or employee organizations with five hundred or more members  
34 in state government may have payroll deduction for employee benefit  
35 programs.

36 (7) Insurance contributions to the authority for payment of  
37 premiums under contracts authorized by the state health care authority.  
38 However, enrollment or assignment by the state health care authority to

1 participate in a health care benefit plan, as required by RCW  
2 41.05.065(5), shall authorize a payroll deduction of premium  
3 contributions without a written consent under the terms and conditions  
4 established by the public employees' benefits board.

5 (8) Deductions to a bank, savings bank, or savings and loan  
6 association if (a) the bank, savings bank, or savings and loan  
7 association is authorized to do business in this state; and (b) twenty-  
8 five or more employees of a single agency, or fewer, if a lesser number  
9 is established by such agency, or a total of one hundred or more state  
10 employees of several agencies have authorized a deduction for payment  
11 to the same bank, savings bank, or savings and loan association.

12 Deductions from salaries and wages of public officers and employees  
13 other than those enumerated in this section or by other law, may be  
14 authorized by the director of financial management for purposes clearly  
15 related to state employment or goals and objectives of the agency and  
16 for plans authorized by the state health care authority.

17 (9) Contributions to the Washington state combined fund drive.

18 The authority to make deductions from the salaries and wages of  
19 public officers and employees as provided for in this section shall be  
20 in addition to such other authority as may be provided by law:  
21 PROVIDED, That the state or any department, division, or separate  
22 agency of the state shall not be liable to any insurance carrier or  
23 contractor for the failure to make or transmit any such deduction.

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