

# SENATE BILL REPORT

## SB 5082

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As Reported By Senate Committee On:  
Labor, Commerce, Research & Development, February 12, 2007

**Title:** An act relating to time periods for collective bargaining by state ferry employees.

**Brief Description:** Modifying time periods for collective bargaining by state ferry employees.

**Sponsors:** Senators Spanel, Swecker and Murray.

**Brief History:**

**Committee Activity:** Labor, Commerce, Research & Development: 1/25/07, 2/12/07 [DPS].

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### SENATE COMMITTEE ON LABOR, COMMERCE, RESEARCH & DEVELOPMENT

**Majority Report:** That Substitute Senate Bill No. 5082 be substituted therefor, and the substitute bill do pass.

Signed by Senators Kohl-Welles, Chair; Keiser, Vice Chair; Clements, Ranking Minority Member; Franklin, Holmquist, Murray and Prentice.

**Staff:** Sherry McNamara (786-7402)

**Background:** During the 2006 Session, the Legislature made various changes in the collective bargaining statutes that apply to ferry workers. The employer, for purposes of bargaining with the collective bargaining representative of ferry workers, is the state of Washington. The employer is represented by the Governor or Governor's designee.

Specific time frames were set for negotiations to begin in September of the odd-numbered year and conclude them in April of the following year. This time period does not coincide with the Governor's biennial budget process which is conducted in the even numbered years.

**Summary of Bill:** The time periods for collective bargaining by state ferry employees is changed to coincide with other state employee collective bargaining time frames and with the biennial budget time period.

Negotiations of a proposed collective bargaining agreement must commence at any time after February 1 of every even-numbered year. It is also intended that all collective bargaining agreements be concluded by October 1 of the even-numbered to meet the biennial budget time period.

With these time period changes, the April 1 date for when the parties may request the Marine Employees' Commission to appoint an impartial and disinterested person to act as mediator is

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changed to August 1. The bill removes April 15 as the date by which the assigned mediator may recommend that impasse items be submitted to arbitration, if an agreement has not been reached. This date does not coincide with the new time period for negotiations.

**EFFECT OF CHANGES MADE BY RECOMMENDED SUBSTITUTE AS PASSED COMMITTEE (Labor, Commerce, Research & Development):** New language is added establishing a process and a timeline for the parties to agree on selecting an interest arbitrator in the event that the parties are unable to reach agreement. The parties are required to execute a written agreement before November 1 of each odd-numbered year setting forth the name of the arbitrator and the dates reserved.

New language is added stating that regardless of the status of mediation the parties must comply with the interest arbitration agreement in this act, absent any subsequent agreement to the contrary.

**Appropriation:** None.

**Fiscal Note:** Available.

**Committee/Commission/Task Force Created:** No.

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

**Staff Summary of Public Testimony:** PRO: The changes in this bill put the state ferry employees in line with the budget and with the planning process. It is a reasonable time frame. The unions would like to make changes in the bill on how an arbitrator is selected.

**Persons Testifying:** PRO: Steve McLain, Office of Financial Management/Labor Relations Office; Gordon Baxter, Washington State Ferry Unions.