

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 2963

Chapter 203, Laws of 2008

60th Legislature
2008 Regular Session

WSU STUDENT EMPLOYEES--COLLECTIVE BARGAINING

EFFECTIVE DATE: 06/12/08

Passed by the House March 8, 2008
Yeas 63 Nays 30

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate March 4, 2008
Yeas 34 Nays 15

BRAD OWEN

President of the Senate

Approved March 27, 2008, 4:18 p.m.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 2963** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BARBARA BAKER

Chief Clerk

FILED

March 28, 2008

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 2963

AS AMENDED BY THE SENATE

Passed Legislature - 2008 Regular Session

State of Washington 60th Legislature 2008 Regular Session

By House Appropriations (originally sponsored by Representatives Conway, Campbell, Chase, Hasegawa, Sullivan, Simpson, Sequist, Appleton, Sells, Wood, Green, Blake, Ericks, Kenney, Williams, McIntire, Pettigrew, Kirby, Moeller, Fromhold, Hunt, VanDeWege, Ormsby, and Hudgins)

READ FIRST TIME 02/12/08.

1 AN ACT Relating to collective bargaining for Washington State
2 University employees who are enrolled in academic programs; adding a
3 new section to chapter 41.56 RCW; and creating new sections.

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

5 NEW SECTION. **Sec. 1.** (1) The legislature acknowledges the ability
6 of student employees who provide instructional, research, and related
7 academic services at the University of Washington to collectively
8 bargain and recognizes that student employees performing equivalent
9 services at Washington State University do not enjoy collective
10 bargaining rights. The legislature further recognizes that while the
11 titles of the student employees may differ between the two
12 institutions, student employees at Washington State University should
13 enjoy the same collective bargaining rights as their counterparts at
14 the University of Washington. The legislature therefore intends to
15 grant bargaining rights to student employees at Washington State
16 University to the same extent such rights are granted to student
17 employees at the University of Washington.

18 (2) This act is intended to promote cooperative labor relations
19 between Washington State University and the employees who provide

1 instructional, research, and related academic services, and who are
2 enrolled as students at the university by extending collective
3 bargaining rights under chapter 41.56 RCW and using the orderly
4 procedures administered by the public employment relations commission.
5 To achieve this end, the legislature intends that under chapter 41.56
6 RCW the university will exclusively bargain in good faith over all
7 matters within the scope of bargaining under section 2 of this act.

8 (3) The legislature recognizes the importance of the shared
9 governance practices developed at Washington State University. The
10 legislature does not intend to restrict, limit, or prohibit the
11 exercise of the functions of the faculty in any shared governance
12 mechanisms or practices, including the faculty senate, faculty
13 councils, and faculty codes of Washington State University; nor does
14 the legislature intend to restrict, limit, or prohibit the exercise of
15 the functions of the graduate and professional student association, the
16 associated students of Washington State University, or any other
17 student organization in matters outside the scope of bargaining covered
18 by chapter 41.56 RCW.

19 (4) The legislature intends that nothing in this act will restrict,
20 limit, or prohibit Washington State University from consideration of
21 the merits, necessity, or organization of any program, activity, or
22 service established by Washington State University, including, but not
23 limited to, any decision to establish, modify, or discontinue any such
24 program, activity, or service. The legislature further intends that
25 nothing in this act will restrict, limit, or prohibit Washington State
26 University from having sole discretion over admission requirements for
27 students, criterion for the award of certificates and degrees to
28 students, academic criterion for selection of employees covered by this
29 act, initial appointment of students, and the content, conduct, and
30 supervision of courses, curricula, grading requirements, and research
31 programs.

32 (5) The legislature does not intend to limit the matters excluded
33 from collective bargaining to those items specified in section 2 of
34 this act.

35 NEW SECTION. **Sec. 2.** A new section is added to chapter 41.56 RCW
36 to read as follows:

37 (1) In addition to the entities listed in RCW 41.56.020, this

1 chapter applies to Washington State University with respect to
2 employees who are enrolled in an academic program and are in a
3 classification in (a) through (g) of this subsection on any Washington
4 State University campus. The employees in (a) through (g) of this
5 subsection constitute an appropriate bargaining unit:

- 6 (a) Graduate teaching assistant;
- 7 (b) Graduate staff assistant;
- 8 (c) Graduate project assistant;
- 9 (d) Graduate veterinary assistant;
- 10 (e) Tutor, reader, and graders in all academic units and tutoring
11 centers;

12 (f) Except as provided in this subsection (1)(f), graduate research
13 assistant. The employees that constitute an appropriate bargaining
14 unit under this subsection (1) do not include graduate research
15 assistants who are performing research primarily related to their
16 dissertation and who have incidental or no service expectations placed
17 upon them by the university; and

18 (g) All employees enrolled in an academic program whose duties and
19 responsibilities are substantially equivalent to those employees in (a)
20 through (f) of this subsection.

21 (2)(a) The scope of bargaining for employees at Washington State
22 University under this section excludes:

23 (i) The ability to terminate the employment of any individual if
24 the individual is not meeting academic requirements as determined by
25 Washington State University;

26 (ii) The amount of tuition or fees at Washington State University.
27 However, tuition and fee remission and waiver is within the scope of
28 bargaining;

29 (iii) The academic calendar of Washington State University; and

30 (iv) The number of students to be admitted to a particular class or
31 class section at Washington State University.

32 (b)(i) Except as provided in (b)(ii) of this subsection, provisions
33 of collective bargaining agreements relating to compensation must not
34 exceed the amount or percentage established by the legislature in the
35 appropriations act. If any compensation provision is affected by
36 subsequent modification of the appropriations act by the legislature,
37 both parties must immediately enter into collective bargaining for the

1 sole purpose of arriving at a mutually agreed upon replacement for the
2 affected provision.

3 (ii) Washington State University may provide additional
4 compensation to student employees covered by this section that exceeds
5 that provided by the legislature.

6 NEW SECTION. **Sec. 3.** If specific funding for the purposes of this
7 act, referencing this act by bill or chapter number, is not provided by
8 June 30, 2008, in the omnibus appropriations act, this act is null and
9 void.

Passed by the House March 8, 2008.

Passed by the Senate March 4, 2008.

Approved by the Governor March 27, 2008.

Filed in Office of Secretary of State March 28, 2008.