

# HOUSE BILL REPORT

## ESHB 2267

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### As Passed House:

March 10, 2009

**Title:** An act relating to protecting the collective bargaining rights of certain exempt employees.

**Brief Description:** Protecting the collective bargaining rights of certain exempt employees.

**Sponsors:** House Committee on Ways & Means (originally sponsored by Representatives Conway, Haigh, Hunt and Kenney).

### Brief History:

#### Committee Activity:

Ways & Means: 2/24/09, 3/2/09 [DPS].

#### Floor Activity

Passed House: 3/10/09, 61-34.

### Brief Summary of Engrossed Substitute Bill

- Provides that limits on salary and wage increases do not apply to increases granted through certain collective bargaining agreements.

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## HOUSE COMMITTEE ON WAYS & MEANS

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 16 members: Representatives Linville, Chair; Ericks, Vice Chair; Dammeier, Assistant Ranking Minority Member; Cody, Conway, Darneille, Haigh, Hunt, Hunter, Kagi, Kenney, Kessler, Pettigrew, Priest, Seaquist and Sullivan.

**Minority Report:** Do not pass. Signed by 6 members: Representatives Alexander, Ranking Minority Member; Bailey, Assistant Ranking Minority Member; Chandler, Hinkle, Ross and Schmick.

**Staff:** Charlie Gavigan (786-7340)

### Background:

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

Generally, state employment positions are either exempt, general service, or Washington Management Service. General service employees and some categories of exempt employees are eligible to collectively bargain if they so elect. For example, higher education faculty and graduate students are exempt but may collectively bargain. Likewise, marine employees and some state convention and trade center employees collectively bargain. For employees who collectively bargain, salary and wage increases are determined as provided in the existing contract.

Under chapter 5, Laws of 2009 (Engrossed Substitute Senate Bill 5460), state agencies are prohibited from granting salary or wage increases to any exempt employees (higher education and other state agencies) and Washington Management Service employees until February 2010.

**Summary of Engrossed Substitute Bill:**

Provisions prohibiting state agencies from granting salary or wage increases are modified to allow an increase granted in collective bargaining agreements for exempt higher education employees, marine employees, and state convention and trade center employees..

**Appropriation:** None.

**Fiscal Note:** Preliminary fiscal note available.

**Effective Date:** The bill contains an emergency clause and takes effect immediately.

**Staff Summary of Public Testimony:**

(In support) This corrects an omission in Engrossed Second Substitute Bill 5460 which was enacted earlier this session. The salary freeze was not intended to apply to those increases provided through a collective bargaining agreement. This provides equity among collective bargaining units and respects the collective bargaining process.

(Opposed) None.

**Persons Testifying:** John Boesenberg, State Board for Community and Technical Colleges; and Wendy Rader-Konefalski, Washington Education Association and United Faculty of Washington State.

**Persons Signed In To Testify But Not Testifying:** None.