

# SENATE BILL REPORT

## SB 5787

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As of February 16, 2009

**Title:** An act relating to the collective bargaining of adult family home providers' health benefits.

**Brief Description:** Addressing the collective bargaining of adult family home providers' health benefits.

**Sponsors:** Senators Keiser, Pflug and Kohl-Welles.

**Brief History:**

**Committee Activity:** Labor, Commerce & Consumer Protection: 2/16/09.

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### SENATE COMMITTEE ON LABOR, COMMERCE & CONSUMER PROTECTION

**Staff:** Kathleen Buchli (786-7488)

**Background:** Adult family homes are licensed by the state to provide residential care for up to six persons in a homelike setting. The residents in adult family homes are persons who are elderly or who have physical or developmental disabilities. They generally require supervision or assistance with activities of daily living and/or health-related services and are unable to live alone.

Employees of cities, counties, and other political subdivisions of the state bargain their wages and working conditions under the Public Employees' Collective Bargaining Act (PECBA) administered by the Public Employment Relations Commission. Adult family home providers also have collective bargaining rights under the PECBA. The exclusive bargaining representative of the adult family home providers and the Governor have a mutual obligation to negotiate in good faith over specified mandatory subjects of bargaining. Mandatory subjects are limited to (1) economic compensation, such as manner and rate of subsidy and reimbursement, including tiered reimbursements; (2) health and welfare benefits; (3) professional development and training; (4) labor-management committees; (5) grievance procedures; and (6) other economic matters.

The state of Washington, through the Public Employees Benefits Board (PEBB), provides insurance coverage to eligible employees and retirees and their dependents, including state agency employees, certain local government employees, vendors operating a business

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enterprise program and deemed eligible by the Department of Services for the Blind, and certain tribal government employees.

**Summary of Bill:** The provision authorizing collective bargaining of health and welfare benefits for adult family home providers is modified. Collective bargaining for health and welfare benefits includes bargaining over eligibility and participation in the PEBB.

**Appropriation:** None.

**Fiscal Note:** Requested on February 13, 2009.

**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: In bargaining, we came into disagreement over whether we can bargain for PEBB. The bill allows us to bargain for PEBB as part of the health and welfare benefits.

**Persons Testifying:** PRO: Dan Simnioniw, Washington State Residential Care Council of Adult Family Homes.