
SENATE BILL 5908

State of Washington

61st Legislature

2009 Regular Session

By Senators Kohl-Welles, Roach, and Keiser

Read first time 02/06/09. Referred to Committee on Labor, Commerce & Consumer Protection.

1 AN ACT Relating to interest arbitration for employees of juvenile
2 court services administered under 13.20.060; and amending RCW
3 41.56.030.

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

5 **Sec. 1.** RCW 41.56.030 and 2007 c 184 s 2 are each amended to read
6 as follows:

7 As used in this chapter:

8 (1) "Public employer" means any officer, board, commission,
9 council, or other person or body acting on behalf of any public body
10 governed by this chapter, or any subdivision of such public body. For
11 the purposes of this section, the public employer of district court or
12 superior court employees for wage-related matters is the respective
13 county legislative authority, or person or body acting on behalf of the
14 legislative authority, and the public employer for nonwage-related
15 matters is the judge or judge's designee of the respective district
16 court or superior court.

17 (2) "Public employee" means any employee of a public employer
18 except any person (a) elected by popular vote, or (b) appointed to
19 office pursuant to statute, ordinance or resolution for a specified

1 term of office as a member of a multimember board, commission, or
2 committee, whether appointed by the executive head or body of the
3 public employer, or (c) whose duties as deputy, administrative
4 assistant or secretary necessarily imply a confidential relationship to
5 (i) the executive head or body of the applicable bargaining unit, or
6 (ii) any person elected by popular vote, or (iii) any person appointed
7 to office pursuant to statute, ordinance or resolution for a specified
8 term of office as a member of a multimember board, commission, or
9 committee, whether appointed by the executive head or body of the
10 public employer, or (d) who is a court commissioner or a court
11 magistrate of superior court, district court, or a department of a
12 district court organized under chapter 3.46 RCW, or (e) who is a
13 personal assistant to a district court judge, superior court judge, or
14 court commissioner. For the purpose of (e) of this subsection, no more
15 than one assistant for each judge or commissioner may be excluded from
16 a bargaining unit.

17 (3) "Bargaining representative" means any lawful organization which
18 has as one of its primary purposes the representation of employees in
19 their employment relations with employers.

20 (4) "Collective bargaining" means the performance of the mutual
21 obligations of the public employer and the exclusive bargaining
22 representative to meet at reasonable times, to confer and negotiate in
23 good faith, and to execute a written agreement with respect to
24 grievance procedures and collective negotiations on personnel matters,
25 including wages, hours and working conditions, which may be peculiar to
26 an appropriate bargaining unit of such public employer, except that by
27 such obligation neither party shall be compelled to agree to a proposal
28 or be required to make a concession unless otherwise provided in this
29 chapter.

30 (5) "Commission" means the public employment relations commission.

31 (6) "Executive director" means the executive director of the
32 commission.

33 (7) "Uniformed personnel" means: (a) Law enforcement officers as
34 defined in RCW 41.26.030 employed by the governing body of any city or
35 town with a population of two thousand five hundred or more and law
36 enforcement officers employed by the governing body of any county with
37 a population of ten thousand or more; (b)(i) correctional employees who
38 are uniformed and nonuniformed, commissioned and noncommissioned

1 security personnel employed in a jail as defined in RCW 70.48.020(5),
2 by a county with a population of seventy thousand or more, and who are
3 trained for and charged with the responsibility of controlling and
4 maintaining custody of inmates in the jail and safeguarding inmates
5 from other inmates; or (ii) juvenile detention employees who are
6 uninformed and nonuniformed employees of a juvenile detention division
7 created pursuant to RCW 13.20.060 and are trained for and charged with
8 the responsibility of supervising, controlling, monitoring,
9 programming, classifying and/or maintaining custody of juveniles in
10 juvenile detention facilities or alternatives to secure detention
11 programs; (c) general authority Washington peace officers as defined in
12 RCW 10.93.020 employed by a port district in a county with a population
13 of one million or more; (d) security forces established under RCW
14 43.52.520; (e) firefighters as that term is defined in RCW 41.26.030;
15 (f) employees of a port district in a county with a population of one
16 million or more whose duties include crash fire rescue or other fire
17 fighting duties; (g) employees of fire departments of public employers
18 who dispatch exclusively either fire or emergency medical services, or
19 both; or (h) employees in the several classes of advanced life support
20 technicians, as defined in RCW 18.71.200, who are employed by a public
21 employer.

22 (8) "Institution of higher education" means the University of
23 Washington, Washington State University, Central Washington University,
24 Eastern Washington University, Western Washington University, The
25 Evergreen State College, and the various state community colleges.

26 (9) "Home care quality authority" means the authority under chapter
27 74.39A RCW.

28 (10) "Individual provider" means an individual provider as defined
29 in RCW 74.39A.240(4) who, solely for the purposes of collective
30 bargaining, is a public employee as provided in RCW 74.39A.270.

31 (11) "Child care subsidy" means a payment from the state through a
32 child care subsidy program established pursuant to RCW 74.12.340 or
33 74.08A.340, 45 C.F.R. Sec. 98.1 through 98.17, or any successor
34 program.

35 (12) "Family child care provider" means a person who: (a) Provides
36 regularly scheduled care for a child or children in the home of the
37 provider or in the home of the child or children for periods of less
38 than twenty-four hours or, if necessary due to the nature of the

1 parent's work, for periods equal to or greater than twenty-four hours;
2 (b) receives child care subsidies; and (c) is either licensed by the
3 state under RCW 74.15.030 or is exempt from licensing under chapter
4 74.15 RCW.

5 (13) "Adult family home provider" means a provider as defined in
6 RCW 70.128.010 who receives payments from the medicaid and state-funded
7 long-term care programs.

--- END ---