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**HOUSE BILL 2078**

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**State of Washington 64th Legislature 2015 Regular Session**

**By** Representatives Sells, Appleton, Stanford, Kochmar, Ormsby, and S. Hunt

AN ACT Relating to collective bargaining by ferry employee organizations; amending RCW 47.64.011; and adding a new section to chapter 47.64 RCW.

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

NEW SECTION. **Sec.**  A new section is added to chapter 47.64 RCW to read as follows:

Beginning in 2016 with the 2017-2019 collective bargaining agreement, any ferry employee organization and the person designated by the governor as a bargaining representative may negotiate four-year contracts. The nonwage-related issues may be of four-year duration but the wage-related issues are subject to two-year negotiations under RCW 47.64.170.

**Sec.**  RCW 47.64.011 and 2011 1st sp.s. c 16 s 24 are each amended to read as follows:

As used in this chapter, unless the context otherwise requires, the definitions in this section shall apply.

(1) "Collective bargaining representative" means the persons designated by the governor and employee organizations to be the exclusive representatives during collective bargaining negotiations.

(2) "Commission" means the public employment relations commission created in RCW 41.58.010.

(3) "Department of transportation" means the department as defined in RCW 47.01.021.

(4) "Employer" means the state of Washington.

(5) "Executive director" means the executive director of the commission.

(6) "Ferry employee" means any employee of the marine transportation division of the department of transportation who is a member of a collective bargaining unit represented by a ferry employee organization and does not include an exempt employee pursuant to RCW 41.06.079.

(7) "Ferry employee organization" means any labor organization recognized to represent a collective bargaining unit of ferry employees.

(8) "Lockout" means the refusal of the employer to furnish work to ferry employees in an effort to get ferry employee organizations to make concessions during collective bargaining, grievance, or other labor relation negotiations. Curtailment of employment of ferry employees due to lack of work resulting from a strike or work stoppage shall not be considered a lockout.

(9) "Office of financial management" means the office as created in RCW 43.41.050.

(10) "Strike or work stoppage" means a ferry employee's refusal, in concerted action with others, to report to duty, or his or her willful absence from his or her position, or his or her stoppage or slowdown of work, or his or her abstinence in whole or in part from the full, faithful, and proper performance of the duties of employment, for the purpose of inducing, influencing, or coercing a change in conditions, compensation, rights, privileges, or obligations of his, her, or any other ferry employee's employment. A refusal, in good faith, to work under conditions which pose an endangerment to the health and safety of ferry employees or the public, as determined by the master of the vessel, shall not be considered a strike for the purposes of this chapter.

(11) "Wage-related" means all items related to a collective bargaining agreement that affect or relate to, directly or indirectly, employee compensation, including, for example and not limited to, wages, benefits, benefits accruals, holidays, vacation accruals, sick leave, and penalty pay.

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