

HOUSE BILL REPORT

HB 1863

As Passed House:

March 6, 2015

Title: An act relating to modifying collective bargaining law related to providing additional compensation for academic employees at community and technical colleges.

Brief Description: Modifying collective bargaining law related to providing additional compensation for academic employees at community and technical colleges.

Sponsors: Representatives Reykdal, Muri, Bergquist, S. Hunt, Fey, Gregory, Haler, Sells, Pollet, Tarleton, Springer, Moscoso, Wylie, Stanford, Ryu, Appleton, Walkinshaw, Fitzgibbon and Goodman.

Brief History:

Committee Activity:

Labor: 2/10/15, 2/17/15 [DP];

Appropriations: 2/24/15, 2/27/15 [DP].

Floor Activity:

Passed House: 3/6/15, 64-34.

Brief Summary of Bill

- Requires Community and Technical College Boards of Trustees to award full-time and part-time academic employees step increases based on collective bargaining, and permits step increases to exceed compensation provided by the Legislature.

HOUSE COMMITTEE ON LABOR

Majority Report: Do pass. Signed by 4 members: Representatives Sells, Chair; Gregerson, Vice Chair; Moeller and Ormsby.

Minority Report: Do not pass. Signed by 3 members: Representatives Manweller, Ranking Minority Member; G. Hunt, Assistant Ranking Minority Member; McCabe.

Staff: Trudes Tango (786-7384).

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.

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: Do pass. Signed by 17 members: Representatives Hunter, Chair; Ormsby, Vice Chair; Carlyle, Cody, Dunshee, Hansen, Hudgins, S. Hunt, Kagi, Lytton, Pettigrew, Sawyer, Senn, Springer, Sullivan, Tharinger and Walkinshaw.

Minority Report: Do not pass. Signed by 14 members: Representatives Chandler, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys, Condotta, Dent, Haler, G. Hunt, MacEwen, Magendanz, Schmick, Stokesbary, Taylor and Van Werven.

Minority Report: Without recommendation. Signed by 2 members: Representatives Fagan and Jinkins.

Staff: Catrina Lucero (786-7192).

Background:

Several collective bargaining laws apply to public institutions of higher education. For faculty at four-year institutions and certain student employees at the University of Washington and Washington State University, a collective bargaining agreement may not include compensation that exceeds the amount or percentage established by the Legislature in the appropriations act. However, the employer may provide additional compensation to faculty and certain student employees that exceeds that provided by the Legislature.

For academic employees at community and technical colleges, an agreement may not include salary increases that exceed the amount or percentage established by the Legislature in the appropriations act and allocated by the State Board for Community and Technical Colleges. Any provisions pertaining to salary increases in an agreement are not binding upon future actions of the Legislature. There is no provision for the employer to provide additional compensation. Other laws provide that boards of trustees of community and technical colleges (college boards) are authorized to fix the salaries of faculty members and other administrative officers and employees.

Summary of Bill:

College boards must award full-time and part-time academic employees step increases based on local agreements collectively bargained. Step increases may exceed any compensation provided to academic employees by the Legislature. However, total amounts provided to academic employees may not exceed 1.2 percent of the full-time and part-time faculty salary base for each college. Nothing prohibits the Legislature from allocating funding for step increases, which may be used in combination with turnover savings to award step increases.

"Step increase" means an incremental increase in salary based on a salary schedule. It may be based on time, specific requirements, or a combination of time and requirements.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony (Labor):

(In support) Step increases are bargained for locally and should be paid for locally. It is difficult to hire and retain skilled faculty because of the inability to get increases in salaries. Other higher education institutions do not face the same problem. The colleges use turnover savings but that is not enough, and it should be a shared responsibility between the state and the local jurisdiction. It does not make sense for parties to bargain for step increases when there is no way to fund the increases. Step increases are a small portion of the overall compensation issue.

(With concerns) There is a need for certainty regarding funding. This year's bill is different because it caps the local expenditures.

(Opposed) This bill will put pressure on community and technical colleges to cannibalize their funds to pay for faculty salaries. The trend is to shift away from services to compensation. The K-12 system is seeing the impact of requiring the state to assume the responsibility of wages.

Staff Summary of Public Testimony (Appropriations):

(In support) This bill passed the House of Representatives last year. This is the only group of employees in education that bargains locally and then sends the bill to the Legislature. Agreements are negotiated locally, but if the Legislature does not provide funding for those agreements, they are not honored. Other public employees are not in this situation. If you bargain locally, you should pay for it locally. This bill reflects joint effort among the unions, faculty, college presidents, and the State Board for Community and Technical Colleges (SBCTC). Faculty in the two-year system do not get regular step increases. This bill addresses that problem. College presidents have indicated willingness to use some local funds for step increases. The bill includes a cap on increments of 1.2 percent which will limit local exposure. The colleges are interested in a shared state and local funding agreement. This bill requires the colleges to honor their contracts and authorizes them to use local funds, as is the case with all other state agencies. The bill as currently written does not require any state funds. Faculty need to stay current and knowledgeable about their subject matter and the SBCTC needs to be able to recruit and retain high quality faculty. This is difficult without adequate funding for step increases.

(With concerns) The SBCTC supports funding faculty increments. It continues to work with faculty representatives to determine how to fund these increments. An agreement on this issue has not been fully reached. The SBCTC continues to request state funding for these purposes but has not received this for the last six years. This should primarily be a state funding item. The Governor's budget provides a lower level of funding for compensation than has been historically normal.

(Opposed) None.

Persons Testifying (Labor): (In support) Representative Reykdal, prime sponsor; Wendy Rader, Kam Todd, and Carla Waccarato-Sinclair, Washington Education Association; Bernal Baca, Erica Dixon and Amy Kinsel, American Federation of Teachers; and Paul Bell, Office of Student Legislative Affairs at Bellevue College.

(With concerns) Marty Brown, State Board for Community and Technical Colleges.

(Opposed) Jami Lund, Freedom Foundation.

Persons Testifying (Appropriations): (In support) Representative Reykdal, prime sponsor; Wendy Rader-Konofalski, Washington Education Association; Bernal Baca, American Federation of Teachers Washington; and Paul Bell, Bellevue College.

(With concerns) Marty Brown, State Board for Community and Technical Colleges.

Persons Signed In To Testify But Not Testifying (Labor): None.

Persons Signed In To Testify But Not Testifying (Appropriations): None.