

HOUSE BILL REPORT

HB 2624

As Reported by House Committee On:
Labor & Workplace Standards
Appropriations

Title: An act relating to requiring employers to provide exclusive bargaining representatives reasonable access to new employees for the purposes of presenting information about their exclusive bargaining representative.

Brief Description: Requiring employers to provide exclusive bargaining representatives reasonable access to new employees for the purposes of presenting information about their exclusive bargaining representative.

Sponsors: Representatives Chapman, Appleton, Valdez, Jinkins, Tarleton, McBride and Doglio.

Brief History:

Committee Activity:

Labor & Workplace Standards: 1/18/18, 1/22/18 [DP];

Appropriations: 2/1/18, 2/6/18 [DP].

Brief Summary of Bill

- Requires certain public sector employers to provide exclusive bargaining representatives reasonable access of at least 30 minutes to new employees of the bargaining unit for the purposes of presenting information about the union.

HOUSE COMMITTEE ON LABOR & WORKPLACE STANDARDS

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

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

Staff: Trudes Tango (786-7384).

Background:

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.

Some existing collective bargaining agreements between public sector employers and employees have provisions that allow a union representative time to make a presentation to new employees at new employee orientations. Generally, new employee access provisions can be bargained for in the collective bargaining process and the agreement can specify how much time a union representative has and when and where the presentation to new employees must take place.

Last year, California passed legislation that, among other things, requires public sector employers to provide union representatives access to the new employee orientations for the purposes of communicating the rights and obligations created by the contract and the role of the union representative.

Summary of Bill:

Language regarding reasonable access to new employees of a bargaining unit is added to various chapters governing collective bargaining for certain public employees.

An employer must provide the exclusive bargaining representative reasonable access to new employees of the bargaining unit for the purposes of presenting information about their exclusive bargaining representative to the new employee. The presentation may occur during a new employee orientation provided by the employer, or at another time agreed to by the employer and the exclusive bargaining representative.

"Reasonable access" means: (1) the access to the new employee occurs within 30 days of the employee's start date within the bargaining unit; (2) the access is for at least 30 minutes; and (3) the access occurs during the new employee's regular work hours at the employee's regular worksite, or at a location agreed to by the employer and the exclusive bargaining representative.

An employer is not prohibited from agreeing to longer or more frequent access, but in no case may an employer agree to less access than required under the act.

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:

(In support) It is critical that employees be educated about their union rights and responsibilities. This bill will codify a practice that works. This bill provides clarity across contracts and bargaining units to establish that employees have a right to have the

conversation with others with more union experience. New employees often do not know who to talk to and there can be missed opportunities for new employees. One way to protect worker's rights is to make sure they learn their rights directly from union representatives when they start their jobs. This is especially important for employees who work in nontraditional worksites. Union representatives help workers understand the benefits they have under their contract.

(Opposed) This bill requires public employers to give time for a union to make a sales pitch. There are already plenty of opportunities for employees to learn about the union and meet union members. This bill mandates taxpayer paid time for nonwork activity. This is an expensive state-wide mandate. It will have fiscal cost to local government. Making employees a captive audience to high-pressured meetings is unkind to workers. The state does not require any other entity with a financial interest to have this type of access to employees.

Persons Testifying: (In support) Representative Chapman, prime sponsor; Lucinda Young, Washington Education Association; Brenda Weist, Teamsters Local 117; and Seamus Petrie, Washington Public Employees Association.

(Opposed) Jami Lund, Freedom Foundation.

Persons Signed In To Testify But Not Testifying: None.

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: Do pass. Signed by 17 members: Representatives Ormsby, Chair; Robinson, Vice Chair; Bergquist, Cody, Fitzgibbon, Hansen, Hudgins, Jinkins, Kagi, Lytton, Pettigrew, Pollet, Sawyer, Senn, Stanford, Sullivan and Tharinger.

Minority Report: Do not pass. Signed by 15 members: Representatives Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Buys, Caldier, Condotta, Graves, Haler, Harris, Manweller, Schmick, Taylor, Vick, Volz and Wilcox.

Staff: David Pringle (786-7310).

Summary of Recommendation of Committee On Appropriations Compared to Recommendation of Committee On Labor & Workplace Standards:

No new changes were recommended.

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:

(In support) It is important for unions to have the opportunity to explain employment benefits and rights to new employees. These meetings may be harder to schedule for classified employees.

(Opposed) It is unclear why this is required. Meetings of this type are often included in collective bargaining agreements now. Unions are provided good access to employees and receive employees' contact information. Too often these meetings are opportunities to pressure employees to join unions. Coercion and other misconduct has been reported. The United States Supreme Court seems poised to end mandatory union payments. At a Service Employees International Union meeting, a series of events occurred that were similar to what is considered in this bill. Attendees were not informed that membership in the union was optional, and when union cards were being distributed, new home care workers were told that they might be paid late or not at all if they did not sign. Union officials refused to provide answers about how to not have union dues deducted. Do not allow this kind of treatment to be extended to state employees.

Persons Testifying: (In support) Lucinda Young, Washington Education Association.

(Opposed) Maxford Nelsen, Freedom Foundation; and Andrea Vangor.

Persons Signed In To Testify But Not Testifying: None.