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**HOUSE BILL 1608**

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**State of Washington 67th Legislature 2022 Regular Session**

**By** Representatives Caldier, Robertson, Abbarno, Eslick, Corry, Barkis, Gilday, Tharinger, Griffey, and Young

AN ACT Relating to identifying and removing barriers to employment with the Washington state ferries; adding a new section to chapter 47.64 RCW; and providing an expiration date.

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:

(1) In 2020, pursuant to a legislative proviso, the University of Washington's foster school of business consulting and business development center conducted an analysis of workforce development needs of the state ferry system. Some of the recommendations in the final report include: Aligning the state ferry's diversity, equity, and inclusion workforce development strategy with the state department of transportation's strategy; identifying specific communities of underserved positions; and hiring a more diverse workforce. In light of the state ferry's desire to hire and retain a more diverse workforce, it is critical that collective bargaining agreements be reviewed through the lens of diversity, equity, and inclusion. Some provisions in existing collective bargaining agreements may unintentionally create barriers to hiring and retaining a more diverse workforce. It is necessary for such provisions to be removed or amended, thereby increasing the Washington state ferry's likelihood of meeting its goals of increasing and diversifying its workforce.

(2) The governor, or the governor's designee, in consultation with the office of equity and the attorney general's office, shall conduct a review and analysis of the collective bargaining agreements governing state ferry employees, for the purposes of identifying provisions that create barriers for, or contribute to creating a disparate impact on, newly hired ferry employees, including those who are women, people of color, veterans, and other employees belonging to communities that have historically been underrepresented in the workforce. The review and analysis must include, but not be limited to, provisions regarding seniority, work assignments, and work shifts.

(3) The review and analysis must be completed prior to the date negotiations for the 2023-2025 collective bargaining agreements begin.

(4) Upon completion of the review and analysis, the governor's office shall submit a report to the transportation committees of the house of representatives and the senate and to the office of equity. Copies of the report must be provided to the exclusive bargaining representatives of ferry employees.

(5) The report must include a summary of findings, specific provisions that have been identified in the collective bargaining agreements, and specific recommendations for amending or eliminating the identified provisions in furtherance of equity, diversity, and inclusion, and removing barriers to increasing hiring and retention of new employees.

(6) When negotiating new collective bargaining agreements, the collective bargaining representatives for the state and ferry employee organizations shall consider the findings and recommendations made in the report. For future collective bargaining agreements, the collective bargaining representatives for the state are directed to negotiate in a manner to remove identified barriers and address identified impacts such that future agreements do not perpetuate negative impacts.

(7) The governor's office may contract with a third-party consultant to conduct the review and analysis.

(8) Nothing in this section is intended to modify any time frames, deadlines, or other requirements regarding collective bargaining applicable to the state and ferry employees under this chapter or chapter 41.80 RCW.

(9) This section expires December 31, 2028.

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