

# SENATE BILL REPORT

## SB 5579

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As Reported by Senate Committee On:  
Labor, Commerce & Tribal Affairs, January 27, 2022

**Title:** An act relating to granting Washington management service employees the right to collectively bargain.

**Brief Description:** Granting Washington management service employees the right to collectively bargain.

**Sponsors:** Senators Hunt, Keiser, Conway, Hasegawa, Lovick, Nguyen, Saldaña, Stanford and Wilson, C..

**Brief History:**

**Committee Activity:** Labor, Commerce & Tribal Affairs: 1/24/22, 1/27/22 [DP-WM, DNP].

**Brief Summary of Bill**

- Grants Washington Management Service employees the right to collectively bargain.

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### SENATE COMMITTEE ON LABOR, COMMERCE & TRIBAL AFFAIRS

**Majority Report:** Do pass and be referred to Committee on Ways & Means.

Signed by Senators Keiser, Chair; Conway, Vice Chair, Labor; Stanford, Vice Chair, Commerce & Tribal Affairs; Robinson and Saldaña.

**Minority Report:** Do not pass.

Signed by Senators King, Ranking Member; Braun, Rivers and Schoesler.

**Staff:** Jarrett Sacks (786-7448)

**Background:** State civil service law governs the appointment, promotion, transfer, layoff,

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.*

removal, discipline, and welfare of most state agency employees. The Washington Management Service (WMS) is a separate personnel system for civil service managers within the executive branch of state government.

The Personnel System Reform Act (PSRA) provides for collective bargaining of wages, hours, and other terms and conditions of employment with classified employees of state agencies and higher education institutions. Employees covered by the PSRA include all state civil service employees, unless an exemption applies. One such exemption is members of the WMS.

**Summary of Bill:** WMS employees are granted the right to collectively bargain by removing the exclusion of WMS members from the definition of employee in the PSRA and removing a provision that prohibits WMS members from being included in a collective bargaining unit.

**Appropriation:** None.

**Fiscal Note:** Requested on January 12, 2022.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:** PRO: The Legislature has already granted assistant attorneys general and administrative law judges bargaining rights but other employees lack access to the same rights and protections. Some employees will not take promotions because they lose access to bargaining and they will lack support and protections of a union. WMS employees need representation when sitting down for personnel actions. Corrections lieutenants do not have access to bargaining, but lieutenants in other agencies do.

OTHER: Other states do not include management in unions to the scale of this bill. The pay range for WMS is large and historically WMS employees receive pay increases at the same rate as unionized employees. The inclusion of WMS can pit managers' interests against the employees they supervise. There is no guarantee that there will be an election to determine representation under the bill.

**Persons Testifying:** PRO: Senator Sam Hunt, Prime Sponsor; Larry Watkinson; Mike Martin; Dan Wistie; Patrick Wahleithner; Sarena Davis, Teamsters 117.

OTHER: Maxford Nelsen, Freedom Foundation.

**Persons Signed In To Testify But Not Testifying:** No one.