CERTIFICATION OF ENROLLMENT

**SENATE BILL 5550**

Chapter 188, Laws of 2023

68th Legislature

2023 Regular Session

STATE FERRIES—WORKFORCE DEVELOPMENT

EFFECTIVE DATE: July 23, 2023

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| Passed by the Senate March 1, 2023  Yeas 45 Nays 3  DENNY HECK  **President of the Senate**  Passed by the House April 10, 2023  Yeas 91 Nays 7  LAURIE JINKINS  **Speaker of the House of Representatives** | CERTIFICATE  I, Sarah Bannister, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 5550** as passed by the Senate and the House of Representatives on the dates hereon set forth.  SARAH BANNISTER  Secretary |
| Approved April 25, 2023 3:50 PM | April 26, 2023 |
| JAY INSLEE  **Governor of the State of Washington** | **Secretary of State**  **State of Washington** |

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**SENATE BILL 5550**

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Passed Legislature - 2023 Regular Session

**State of Washington 68th Legislature 2023 Regular Session**

**By** Senators Liias, Randall, Valdez, Lovick, C. Wilson, Lovelett, Kauffman, Shewmake, Hasegawa, Hunt, Keiser, Nguyen, Nobles, Robinson, and Van De Wege

AN ACT Relating to addressing workforce development issues, including cultural issues, at the Washington state ferries; reenacting and amending RCW 47.60.005; and adding a new section to chapter 47.60 RCW.

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

NEW SECTION. **Sec.**  A new section is added to chapter 47.60 RCW to read as follows:

(1) The legislature finds that the maritime sector in Washington state is currently facing historic labor challenges. The legislature further finds that the Washington state ferry system is an essential component of the transportation system. Therefore, the legislature intends that Washington state ferries implement the recommendations of the joint transportation committee study on workforce planning, completed in December 2022.

(2) Washington state ferries shall adopt a formal strategy to implement diversity, equity, and inclusion directives to address issues including, but not limited to, recruitment, employee development, retention, and agency branding for workforce marketing materials. The strategy may address specific goals and objectives of diversity, equity, and inclusion efforts, training and development of staff, and key performance indicators to track effectiveness of the strategy.

(3)(a) On an annual basis, Washington state ferries shall conduct an employee survey of employees' feedback on workplace conditions either via the department-wide survey or utilizing a third-party consultant. The results of the survey shall be used at a minimum to:

(i) Perform an in-depth cultural assessment;

(ii) Identify any issues of concern among the Washington state ferries workforce; and

(iii) Form the basis of an action plan to remediate any cultural issues identified.

(b) Washington state ferries shall submit a summary of survey results and corresponding action planning to address cultural issues to the transportation committees of the legislature and the office of financial management at the time of Washington state ferries' biennial budget submissions, beginning with the 2025-2027 submission.

(4) Washington state ferries shall continuously seek methods to improve workforce development and career advancement for all employees with a focus on vessel engine room and deck, terminal, and Eagle Harbor maintenance facility tradespeople. In consultation with labor partners, Washington state ferries shall develop programs for employees to gain maritime credentials and marine pilotage required by the United States coast guard, as well as transferring knowledge through formalized mentorship, work shadow, or apprenticeship programs. Washington state ferries shall adopt a formal policy to assist applicants to gain required United States coast guard documentation and maritime credentialing necessary for entry level positions. Assistance to perspective employees may include both financial and technical assistance.

(5) When possible, Washington state ferries shall partner with maritime academies and training facilities to offer instruction, including electronic learning, internships, or apprenticeships, to current or perspective employees.

(6) Washington state ferries shall continuously evaluate management practices concerning recruitment and hiring, staffing levels, scheduling practices, compensation, and agency technology needs, to optimize system and administrative performance. The evaluation must include a strategy to develop or modify a staffing model to forecast staffing needs and succession planning for future biennia and set a target level of operational overtime.

(7) At the time of Washington state ferries' biennial budget submissions, beginning with the 2025-2027 submission, Washington state ferries shall report staffing progress for deck, terminal, maintenance shop, and engine room employees, identifying:

(a) The approximate number of employees eligible for promotion;

(b) The number of employees eligible for retirement;

(c) The number of employees who have utilized on-the-job programs to gain maritime credentials or fulfill marine pilotage requirements; and

(d) A forecast of all staffing needs and changes for the subsequent biennia.

**Sec.**  RCW 47.60.005 and 2015 3rd sp.s. c 14 s 1 are each reenacted and amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Adaptive management" means a systematic process for continually improving management policies and practices by learning from the outcomes of operational programs.

(2) "Capital plan" means the state ferry system plan developed by the department as described in RCW 47.06.050(2), reviewed by the commission, and reported to the transportation committees of the legislature by the department.

(3) "Capital project" has the same meaning as used in budget instructions developed by the office of financial management.

(4) "Commission" means the transportation commission created in RCW 47.01.051.

(5) "Fixed price contract" means a contract that requires the contractor to deliver a specified project for a set price. Change orders on fixed price contracts are allowable but should be used on a very limited basis.

(6) "Improvement project" has the same meaning as in the budget instructions developed by the office of financial management. If the budget instructions do not define improvement project, then it has the same meaning as "program project" in the budget instructions. If a project meets both the improvement project and preservation project definitions in this section it must be defined as an improvement project. New vessel acquisitions must be defined as improvement projects.

(7) "Life-cycle cost analysis" means an analysis of the full net present value cost of constructing and operating a vessel over its life span, including capital costs, financing costs, operation and maintenance costs, decommissioning costs, and variable costs including fuel.

(8) "Life-cycle cost model" means that portion of a capital asset inventory system which, among other things, is used to estimate future preservation needs.

(9) "Maintenance cost" has the same meaning as used in budget instructions developed by the office of financial management.

(10) "Preservation project" has the same meaning as used in budget instructions developed by the office of financial management.

(11) "Route" means all ferry sailings from one location to another, such as the Seattle to Bainbridge route or the Port Townsend to Keystone route.

(12) "Sailing" means an individual ferry sailing for a specific route, such as the 5:00 p.m. sailing from Seattle to Bremerton.

(13) "Travel shed" means one or more ferry routes with distinct characteristics as determined by the department.

(14) "Washington state ferries" means the ferry division within the department, as described in RCW 47.60.015.

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Passed by the Senate March 1, 2023.

Passed by the House April 10, 2023.

Approved by the Governor April 25, 2023.

Filed in Office of Secretary of State April 26, 2023.