
SUBSTITUTE SENATE BILL 5808

State of Washington

68th Legislature

2024 Regular Session

By Senate Labor & Commerce (originally sponsored by Senators Van De Wege, Lovick, Conway, Trudeau, Nguyen, Kuderer, Randall, Dhingra, Hunt, Valdez, Keiser, Stanford, Liiias, Hasegawa, Shewmake, Mullet, Nobles, and Salomon)

READ FIRST TIME 01/17/24.

1 AN ACT Relating to granting interest arbitration to certain
2 public safety telecommunicators; and amending RCW 41.56.030.

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

4 **Sec. 1.** RCW 41.56.030 and 2022 c 71 s 9 are each amended to read
5 as follows:

6 As used in this chapter:

7 (1) "Adult family home provider" means a provider as defined in
8 RCW 70.128.010 who receives payments from the medicaid and state-
9 funded long-term care programs.

10 (2) "Bargaining representative" means any lawful organization
11 which has as one of its primary purposes the representation of
12 employees in their employment relations with employers.

13 (3) "Child care subsidy" means a payment from the state through a
14 child care subsidy program established pursuant to RCW 74.12.340, 45
15 C.F.R. Sec. 98.1 through 98.17, or any successor program.

16 (4) "Collective bargaining" means the performance of the mutual
17 obligations of the public employer and the exclusive bargaining
18 representative to meet at reasonable times, to confer and negotiate
19 in good faith, and to execute a written agreement with respect to
20 grievance procedures, subject to RCW 41.58.070, and collective
21 negotiations on personnel matters, including wages, hours, and

1 working conditions, which may be peculiar to an appropriate
2 bargaining unit of such public employer, except that by such
3 obligation neither party shall be compelled to agree to a proposal or
4 be required to make a concession unless otherwise provided in this
5 chapter.

6 (5) "Commission" means the public employment relations
7 commission.

8 (6) "Executive director" means the executive director of the
9 commission.

10 (7) "Family child care provider" means a person who: (a) Provides
11 regularly scheduled care for a child or children in the home of the
12 provider or in the home of the child or children for periods of less
13 than twenty-four hours or, if necessary due to the nature of the
14 parent's work, for periods equal to or greater than twenty-four
15 hours; (b) receives child care subsidies; and (c) under chapter
16 43.216 RCW, is either licensed by the state or is exempt from
17 licensing.

18 (8) "Fish and wildlife officer" means a fish and wildlife officer
19 as defined in RCW 77.08.010 who ranks below lieutenant and includes
20 officers, detectives, and sergeants of the department of fish and
21 wildlife.

22 (9) "Individual provider" means an individual provider as defined
23 in RCW 74.39A.240(3) who, solely for the purposes of collective
24 bargaining, is a public employee as provided in RCW 74.39A.270.

25 (10) "Institution of higher education" means the University of
26 Washington, Washington State University, Central Washington
27 University, Eastern Washington University, Western Washington
28 University, The Evergreen State College, and the various state
29 community colleges.

30 (11)(a) "Language access provider" means any independent
31 contractor who provides spoken language interpreter services, whether
32 paid by a broker, language access agency, or the respective
33 department:

34 (i) For department of social and health services appointments,
35 department of children, youth, and families appointments, medicaid
36 enrollee appointments, or who provided these services on or after
37 January 1, 2011, and before June 10, 2012;

38 (ii) For department of labor and industries authorized medical
39 and vocational providers who provided these services on or after
40 January 1, 2019; or

1 (iii) For state agencies who provided these services on or after
2 January 1, 2019.

3 (b) "Language access provider" does not mean a manager or
4 employee of a broker or a language access agency.

5 (12) "Public employee" means any employee of a public employer
6 except any person (a) elected by popular vote, or (b) appointed to
7 office pursuant to statute, ordinance or resolution for a specified
8 term of office as a member of a multimember board, commission, or
9 committee, whether appointed by the executive head or body of the
10 public employer, or (c) whose duties as deputy, administrative
11 assistant or secretary necessarily imply a confidential relationship
12 to (i) the executive head or body of the applicable bargaining unit,
13 or (ii) any person elected by popular vote, or (iii) any person
14 appointed to office pursuant to statute, ordinance or resolution for
15 a specified term of office as a member of a multimember board,
16 commission, or committee, whether appointed by the executive head or
17 body of the public employer, or (d) who is a court commissioner or a
18 court magistrate of superior court, district court, or a department
19 of a district court organized under chapter 3.46 RCW, or (e) who is a
20 personal assistant to a district court judge, superior court judge,
21 or court commissioner. For the purpose of (e) of this subsection, no
22 more than one assistant for each judge or commissioner may be
23 excluded from a bargaining unit.

24 (13) "Public employer" means any officer, board, commission,
25 council, or other person or body acting on behalf of any public body
26 governed by this chapter, or any subdivision of such public body. For
27 the purposes of this section, the public employer of district court
28 or superior court employees for wage-related matters is the
29 respective county legislative authority, or person or body acting on
30 behalf of the legislative authority, and the public employer for
31 nonwage-related matters is the judge or judge's designee of the
32 respective district court or superior court. For the purposes of this
33 chapter, public employer does not include a comprehensive cancer
34 center participating in a collaborative arrangement as defined in RCW
35 28B.10.930 that is operated in conformance with RCW 28B.10.930.

36 (14) "Uniformed personnel" means: (a) Law enforcement officers as
37 defined in RCW 41.26.030 employed by the governing body of any city
38 or town with a population of two thousand five hundred or more and
39 law enforcement officers employed by the governing body of any county
40 with a population of ten thousand or more; (b) correctional employees

1 who are uniformed and nonuniformed, commissioned and noncommissioned
2 security personnel employed in a jail as defined in RCW 70.48.020(9),
3 by a county with a population of seventy thousand or more, in a
4 correctional facility created under RCW 70.48.095, or in a detention
5 facility created under chapter 13.40 RCW that is located in a county
6 with a population over one million five hundred thousand, and who are
7 trained for and charged with the responsibility of controlling and
8 maintaining custody of inmates in the jail and safeguarding inmates
9 from other inmates; (c) general authority Washington peace officers
10 as defined in RCW 10.93.020 employed by a port district in a county
11 with a population of one million or more; (d) security forces
12 established under RCW 43.52.520; (e) firefighters as that term is
13 defined in RCW 41.26.030; (f) employees of a port district in a
14 county with a population of one million or more whose duties include
15 crash fire rescue or other firefighting duties; (g) employees of fire
16 departments of public employers who dispatch exclusively either fire
17 or emergency medical services, or both; (h) employees in the several
18 classes of advanced life support technicians, as defined in RCW
19 18.71.200, who are employed by a public employer; (~~(i)~~) (i) court
20 marshals of any county who are employed by, trained for, and
21 commissioned by the county sheriff and charged with the
22 responsibility of enforcing laws, protecting and maintaining security
23 in all county-owned or contracted property, and performing any other
24 duties assigned to them by the county sheriff or mandated by judicial
25 order; or (j) public safety telecommunicators, as defined in RCW
26 38.60.020, employed by a public employer. This subsection (14)(j)
27 does not apply to public safety telecommunicators employed by the
28 Washington state patrol or any other state agency.

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