

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 1200

Chapter 204, Laws of 2023

68th Legislature
2023 Regular Session

PUBLIC EMPLOYERS—EMPLOYEE INFORMATION SHARING WITH EXCLUSIVE
BARGAINING REPRESENTATIVES

EFFECTIVE DATE: July 23, 2023

Passed by the House April 14, 2023
Yeas 57 Nays 39

LAURIE JINKINS

**Speaker of the House of
Representatives**

Passed by the Senate April 12, 2023
Yeas 29 Nays 20

DENNY HECK

President of the Senate

Approved May 1, 2023 2:57 PM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1200** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

Chief Clerk

FILED

May 2, 2023

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 1200

AS AMENDED BY THE SENATE

Passed Legislature - 2023 Regular Session

State of Washington 68th Legislature 2023 Regular Session

By House Labor & Workplace Standards (originally sponsored by Representatives Alvarado, Bronoske, Fitzgibbon, Berry, Bateman, Reed, Simmons, Bergquist, Ramel, Doglio, Ormsby, Ortiz-Self, Fosse, Pollet, and Chopp)

READ FIRST TIME 01/31/23.

1 AN ACT Relating to requiring public employers to provide employee
2 information to exclusive bargaining representatives; adding a new
3 section to chapter 41.56 RCW; adding a new section to chapter 41.59
4 RCW; adding a new section to chapter 28B.52 RCW; and adding a new
5 section to chapter 41.80 RCW.

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

7 NEW SECTION. **Sec. 1.** A new section is added to chapter 41.56
8 RCW to read as follows:

9 (1) If the employer has the information in the employer's
10 records, the employer shall provide to the exclusive bargaining
11 representative the following information for each employee in an
12 appropriate bargaining unit:

13 (a) The employee's name and date of hire;

14 (b) The employee's contact information, including: (i) Cellular,
15 home, and work telephone numbers; (ii) work and the most up-to-date
16 personal email addresses; and (iii) home address or personal mailing
17 address; and

18 (c) Employment information, including the employee's job title,
19 salary or rate of pay, and work site location or duty station.

20 (2) The employer must provide the information to the exclusive
21 bargaining representative in an editable digital file format:

1 (a) Within 21 business days from the date of hire for a newly
2 hired employee in an appropriate bargaining unit; and

3 (b) Every 120 business days for all employees in an appropriate
4 bargaining unit.

5 (3) When there is a state-level representative of the exclusive
6 bargaining representative for a bargaining unit, the employer may
7 provide the information to the state-level representative.

8 (4) The exclusive bargaining representative may use the
9 information provided under this section only for representation
10 purposes. This section does not give authority to any exclusive
11 bargaining representative to sell or provide access to lists of
12 employees or the information provided to the exclusive bargaining
13 representative pursuant to this section requested for commercial
14 purposes.

15 (5) If an employer fails to comply with this section, the
16 exclusive bargaining representative may bring a court action to
17 enforce compliance. The court may order the employer to pay costs and
18 reasonable attorneys' fees incurred by the exclusive bargaining
19 representative.

20 (6)(a) This section does not apply to an employer specifically
21 prohibited under its requirements as a cleared United States
22 department of defense contractor from providing the employee
23 information listed under subsection (1) of this section only for
24 those employees covered by such requirements. The employer is
25 required to provide the employee information under subsection (1) of
26 this section for all employees not covered by the employer's
27 requirements as a cleared United States department of defense
28 contractor.

29 (b) This subsection (6) does not limit the employee information
30 an employer must provide an exclusive bargaining representative
31 pursuant to its duty to bargain in good faith or any other duty or
32 obligation under applicable collective bargaining law, nor does this
33 subsection (6) prohibit bargaining over the provision of employee
34 information under applicable collective bargaining law.

35 NEW SECTION. **Sec. 2.** A new section is added to chapter 41.59
36 RCW to read as follows:

37 Section 1 of this act applies to this chapter.

1 NEW SECTION. **Sec. 3.** A new section is added to chapter 28B.52
2 RCW to read as follows:
3 Section 1 of this act applies to this chapter.

4 NEW SECTION. **Sec. 4.** A new section is added to chapter 41.80
5 RCW to read as follows:

6 Section 1 of this act applies to the following employers subject
7 to this chapter:

- 8 (1) Western Washington University;
- 9 (2) Central Washington University;
- 10 (3) Eastern Washington University; and
- 11 (4) The Evergreen State College.

Passed by the House April 14, 2023.
Passed by the Senate April 12, 2023.
Approved by the Governor May 1, 2023.
Filed in Office of Secretary of State May 2, 2023.

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