

HOUSE BILL REPORT

HB 1105

As Reported by House Committee On:

Labor & Workplace Standards

Appropriations

Title: An act relating to exempting exclusive bargaining representatives for department of corrections employees from certain provisions related to coalition bargaining.

Brief Description: Exempting exclusive bargaining representatives for department of corrections employees from certain provisions related to coalition bargaining.

Sponsors: Representatives Fosse, Low, Stearns, Leavitt, Berry, Ryu, Cortes, Farivar, Doglio, Paul, Goodman, Wylie, Pollet, Fey, Kloba, Nance, Lekanoff and Bernbaum.

Brief History:

Committee Activity:

Labor & Workplace Standards: 1/17/25, 1/22/25 [DP];

Appropriations: 2/10/25, 2/13/25 [DPS].

Brief Summary of Substitute Bill

- Exempts Department of Corrections employees who have interest arbitration rights under the Personnel System Reform Act from coalition bargaining requirements, unless those employees are part of the Marine Department.

HOUSE COMMITTEE ON LABOR & WORKPLACE STANDARDS

Majority Report: Do pass. Signed by 8 members: Representatives Berry, Chair; Fosse, Vice Chair; Scott, Vice Chair; Schmidt, Ranking Minority Member; Ybarra, Assistant Ranking Minority Member; Bronoske, Obras and Ortiz-Self.

Minority Report: Without recommendation. Signed by 1 member: Representative McEntire.

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.

Staff: Benjamin McCarthy (786-7116).

Background:

The Personnel System Reform Act (PSRA) provides classified state employees the right to collectively bargain over wages, hours, and other terms and conditions of employment. The Governor or the Governor's designee represents the employer in collective bargaining negotiations.

Under the PSRA, employees may form bargaining units of similarly situated employees. These bargaining units elect exclusive bargaining representatives to negotiate collective bargaining agreements with the employer. Exclusive bargaining representatives who represent fewer than 500 employees are required to negotiate a single master collective bargaining agreement as a coalition.

Interest Arbitration.

The PSRA grants Department of Corrections (DOC) employees, except confidential employees, members of the Washington Management Service, and internal auditors, interest arbitration to resolve impasses during contract negotiations.

Interest arbitration requires the parties to attempt to resolve disputes over mandatory subjects of bargaining through mediation. If mediation is unsuccessful, the Director of the Public Employment Relations Commission will certify unresolved disputes for an arbiter to consider. The arbiter's decision is binding on the parties and can only be appealed if it is arbitrary and capricious. However, interest arbitration decisions are not binding on the Legislature. If the Legislature does not approve the funds necessary to implement an interest arbitration award, the award is not binding on the state or the DOC.

Summary of Bill:

Department of Corrections employees who have interest arbitration rights are exempt from coalition bargaining even if their exclusive bargaining representative represents fewer than 500 employees. The exclusive bargaining representative and the employer will negotiate a master collective bargaining agreement separate from the coalition's agreement.

Appropriation: None.

Fiscal Note: Preliminary fiscal note available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) This will streamline the collective bargaining process. The smaller bargaining units all must bargain together, but community corrections officers have interest arbitrations. If Department of Corrections employees choose to use interest arbitration, it adds a cumbersome process that interrupts bargaining for other state workers. Department of Corrections employees deserve interest arbitration because it is the best opportunity for union members.

(Opposed) None.

Persons Testifying: Representative Mary Fosse, prime sponsor; Kati Durkin, Washington Federation of State Employees; and Doug Chaput, WFSE Member.

Persons Signed In To Testify But Not Testifying: None.

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 23 members: Representatives Ormsby, Chair; Gregerson, Vice Chair; Macri, Vice Chair; Couture, Ranking Minority Member; Berg, Bergquist, Burnett, Caldier, Callan, Doglio, Fitzgibbon, Keaton, Leavitt, Lekanoff, Peterson, Pollet, Rude, Ryu, Springer, Stonier, Street, Thai and Tharinger.

Minority Report: Do not pass. Signed by 4 members: Representatives Schmick, Assistant Ranking Minority Member; Corry, Dye and Marshall.

Minority Report: Without recommendation. Signed by 2 members: Representatives Connors, Assistant Ranking Minority Member; Manjarrez.

Staff: David Pringle (786-7310).

Summary of Recommendation of Committee On Appropriations Compared to Recommendation of Committee On Labor & Workplace Standards:

The Appropriations Committee recommendation added the exclusion of Marine Department employees from the groups of employees that would be exempt from the requirement to bargain as part of the coalition of bargaining units with 500 or fewer employees.

Appropriation: None.

Fiscal Note: Preliminary fiscal note available.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of the

session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) After the most recent round of collective bargaining, it became apparent that the eligibility of Department of Corrections (DOC) employees for interest arbitration made including them in the coalition master bargaining agreement tricky. The original bill inadvertently included a very small unit of Marine Department employees at the DOC in this bill, and there is an amendment that would fix this error.

(Opposed) None.

Persons Testifying: Kati Durkin, Washington Federation of State Employees.

Persons Signed In To Testify But Not Testifying: None.