

HOUSE BILL REPORT

HB 2190

As Reported by House Committee On:
Labor & Workplace Standards

Title: An act relating to language access providers' collective bargaining.

Brief Description: Concerning language access providers' collective bargaining.

Sponsors: Representatives Cortes, Low, Leavitt, Parshley, Ryu, Doglio, Simmons, Schmidt, Timmons, Berry, Ortiz-Self, Reed, Mena, Obras, Santos, Zahn, Thomas, Gregerson, Ormsby, Goodman, Fosse, Salahuddin, Hill and Pollet.

Brief History:

Committee Activity:

Labor & Workplace Standards: 1/14/26, 1/23/26 [DP].

Brief Summary of Bill

- Requires that payments or reimbursements for missed or canceled appointments are part of "economic compensation" that must be collectively bargained between state agency employers and language access providers.

HOUSE COMMITTEE ON LABOR & WORKPLACE STANDARDS

Majority Report: Do pass. Signed by 9 members: Representatives Berry, Chair; Fosse, Vice Chair; Scott, Vice Chair; Schmidt, Ranking Minority Member; Ybarra, Assistant Ranking Minority Member; Bronoske, McEntire, Obras and Ortiz-Self.

Staff: Trudes Tango (786-7384).

Background:

Language access providers (LAPs) are independent contractors who provide spoken

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language interpretive services for the Department of Social and Health Services, the Department of Children, Youth, and Families, the Department of Labor and Industries (L&I), the Health Care Authority, and the Department of Enterprise Services for other state agencies.

Language access providers are considered state employees only for the purposes of collective bargaining. The scope of bargaining for LAPs is limited primarily to economic compensation, health and welfare benefits, and other economic matters. The Governor is named as the public employer for LAPs for the purposes of collective bargaining.

Collective bargaining agreements for LAPs for some, but not all, state agencies have provisions to address when a client needing interpretive services misses or cancels an appointment. Based on a recent arbitration decision, L&I and LAPs may not bargain for fees for missed appointments because the statute governing fees to workers' compensation providers requires that provider fees cannot exceed the fee schedule established in L&I's rules. The fee schedule currently prohibits providers from billing for missed appointments except in limited circumstances.

Summary of Bill:

Payments or reimbursements for missed or canceled appointments are part of "economic compensation" that must be bargained between the employer and language access providers.

If a conflict exists between an executive order, administrative rule, or agency policy relating to wages, hours, and employment conditions, the collective bargaining agreement prevails. If there is a conflict between a provision in a collective bargaining agreement and a statute, the provision in the agreement is invalid and unenforceable.

Appropriation: None.

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 bill clarifies collective bargaining rights for professional interpreters who help make government services accessible to people. Interpreters for the Department of Labor and Industries (L&I) are the only group of interpreters that are not allowed to bargain

this issue. Interpreters lose money when they book an appointment and then the appointment is canceled at the last minute. Interpreters may stop signing up for appointments with L&I because it is always a gamble on whether they will get paid depending on if the client shows up.

(Opposed) None.

Persons Testifying: Representative Julio Cortes, prime sponsor; Kati Durkin, WFSE; Barbara Robertson, WFSE; and Leticia Mares, WFSE.

Persons Signed In To Testify But Not Testifying: None.