

FINAL BILL REPORT

SB 5473

Brief Description: Concerning law enforcement personnel grievance arbitration procedures.

Sponsors: Senators Conway, Chapman and Holy.

Senate Committee on Labor & Commerce

House Committee on Labor & Workplace Standards

Background: The Public Employees' Collective Bargaining Act. The Public Employees' Collective Bargaining Act (PECBA) provides for collective bargaining of wages, hours, and working conditions with employees of cities, counties, and other political subdivisions. Police have the authority to collectively bargain under PECBA, as do the officers of the Washington State Patrol and the Department of Fish and Wildlife. PECBA is administered by the Public Employment Relations Commission (PERC). Under PECBA, grievance procedures and discipline are mandatory subjects of bargaining and the parties may agree to binding arbitration to resolve grievances.

Law Enforcement Disciplinary Grievance Arbitration. State law governs the procedure for selecting arbitrators in grievance arbitrations for disciplinary actions of law enforcement personnel. The executive director of PERC assigns arbitrators from a roster of arbitrators appointed for law enforcement personnel grievance arbitrations. Arbitrators are assigned on a rotational basis in alphabetical order. The parties to a collective bargaining agreement may not participate in, negotiate for, or agree to the selection of an arbitrator. However, a party may petition to have an arbitrator removed due to a conflict of interest.

PERC appoints 9 to 18 arbitrators to the law enforcement grievance arbitration roster, subject to experience requirements and other factors established in statute. Initial appointments to the roster are staggered, with at least three appointments expiring in January of 2024, at least three expiring in January of 2025, and at least three expiring in January of 2026. Subsequent appointments are made for three-year terms, with the terms of no more than three arbitrators expiring in the same year.

A grievance arbitration is a binding arbitration of a disciplinary grievance under the grievance procedures established in a collective bargaining agreement covering law enforcement personnel.

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.

Summary: In the law enforcement personnel grievance arbitration statute, the definition of grievance arbitration is modified to specify that the arbitration must be requested in accordance with the procedures established in the collective bargaining agreement.

A requirement that the terms of no more than three arbitrators on the law enforcement grievance arbitration roster may expire in the same year is removed.

Votes on Final Passage:

Senate 49 0

House 96 0

Effective: Ninety days after adjournment of session in which bill is passed.