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**HOUSE BILL 1105**

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**State of Washington**

**69th Legislature**

**2025 Regular Session**

**By** Representatives Fosse, Low, Stearns, Leavitt, Berry, and Ryu

Prefiled 12/19/24.

1 AN ACT Relating to exempting exclusive bargaining representatives  
2 for department of corrections employees from certain provisions  
3 related to coalition bargaining; and amending RCW 41.80.010.

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

5 **Sec. 1.** RCW 41.80.010 and 2022 c 297 s 951 are each amended to  
6 read as follows:

7 (1) For the purpose of negotiating collective bargaining  
8 agreements under this chapter, the employer shall be represented by  
9 the governor or governor's designee, except as provided for  
10 institutions of higher education in subsection (4) of this section.

11 (2) (a) (i) Except as otherwise provided, if an exclusive  
12 bargaining representative represents more than one bargaining unit,  
13 the exclusive bargaining representative shall negotiate with each  
14 employer representative as designated in subsection (1) of this  
15 section one master collective bargaining agreement on behalf of all  
16 the employees in bargaining units that the exclusive bargaining  
17 representative represents.

18 (ii) For those exclusive bargaining representatives who represent  
19 fewer than a total of (~~five—hundred~~) 500 employees each,  
20 negotiation shall be by a coalition of all those exclusive bargaining  
21 representatives. The coalition shall bargain for a master collective

1 bargaining agreement covering all of the employees represented by the  
2 coalition. The governor's designee and the exclusive bargaining  
3 representative or representatives are authorized to enter into  
4 supplemental bargaining of agency-specific issues for inclusion in or  
5 as an addendum to the master collective bargaining agreement, subject  
6 to the parties' agreement regarding the issues and procedures for  
7 supplemental bargaining. Exclusive bargaining representatives that  
8 represent employees covered under chapter 41.06 RCW and exclusive  
9 bargaining representatives that represent employees exempt under  
10 chapter 41.06 RCW shall constitute separate coalitions and must  
11 negotiate separate master collective bargaining agreements. This  
12 subsection does not prohibit cooperation and coordination of  
13 bargaining between two or more exclusive bargaining representatives.

14 (b) This subsection does not apply to exclusive bargaining  
15 representatives who represent employees of institutions of higher  
16 education, except when the institution of higher education has  
17 elected to exercise its option under subsection (4) of this section  
18 to have its negotiations conducted by the governor or governor's  
19 designee under the procedures provided for general government  
20 agencies in subsections (1) through (3) of this section.

21 (c) If (~~five hundred~~) 500 or more employees of an independent  
22 state elected official listed in RCW 43.01.010 are organized in a  
23 bargaining unit or bargaining units under RCW 41.80.070, the official  
24 shall be consulted by the governor or the governor's designee before  
25 any agreement is reached under (a) of this subsection concerning  
26 supplemental bargaining of agency specific issues affecting the  
27 employees in such bargaining unit.

28 (d) For assistant attorneys general, the governor or the  
29 governor's designee and an exclusive bargaining representative shall  
30 negotiate one master collective bargaining agreement.

31 (e) This subsection does not apply to exclusive bargaining  
32 representatives who represent employees of the department of  
33 corrections that have interest arbitration rights under RCW  
34 41.80.200. For department of corrections employees, the governor or  
35 the governor's designee and an exclusive bargaining representative  
36 shall negotiate one master collective bargaining agreement.

37 (3) The governor shall submit a request for funds necessary to  
38 implement the compensation and fringe benefit provisions in the  
39 master collective bargaining agreement or for legislation necessary  
40 to implement the agreement. Requests for funds necessary to implement

1 the provisions of bargaining agreements shall not be submitted to the  
2 legislature by the governor unless such requests:

3 (a) Have been submitted to the director of the office of  
4 financial management by October 1 prior to the legislative session at  
5 which the requests are to be considered; and

6 (b) Have been certified by the director of the office of  
7 financial management as being feasible financially for the state.

8 The legislature shall approve or reject the submission of the  
9 request for funds as a whole. The legislature shall not consider a  
10 request for funds to implement a collective bargaining agreement  
11 unless the request is transmitted to the legislature as part of the  
12 governor's budget document submitted under RCW 43.88.030 and  
13 43.88.060. If the legislature rejects or fails to act on the  
14 submission, either party may reopen all or part of the agreement or  
15 the exclusive bargaining representative may seek to implement the  
16 procedures provided for in RCW 41.80.090.

17 (4) (a) (i) For the purpose of negotiating agreements for  
18 institutions of higher education, the employer shall be the  
19 respective governing board of each of the universities, colleges, or  
20 community colleges or a designee chosen by the board to negotiate on  
21 its behalf.

22 (ii) A governing board of a university or college may elect to  
23 have its negotiations conducted by the governor or governor's  
24 designee under the procedures provided for general government  
25 agencies in subsections (1) through (3) of this section, except that:

26 (A) The governor or the governor's designee and an exclusive  
27 bargaining representative shall negotiate one master collective  
28 bargaining agreement for all of the bargaining units of employees of  
29 a university or college that the representative represents; or

30 (B) If the parties mutually agree, the governor or the governor's  
31 designee and an exclusive bargaining representative shall negotiate  
32 one master collective bargaining agreement for all of the bargaining  
33 units of employees of more than one university or college that the  
34 representative represents.

35 (iii) A governing board of a community college may elect to have  
36 its negotiations conducted by the governor or governor's designee  
37 under the procedures provided for general government agencies in  
38 subsections (1) through (3) of this section.

39 (b) Prior to entering into negotiations under this chapter, the  
40 institutions of higher education or their designees shall consult

1 with the director of the office of financial management regarding  
2 financial and budgetary issues that are likely to arise in the  
3 impending negotiations.

4 (c)(i) In the case of bargaining agreements reached between  
5 institutions of higher education other than the University of  
6 Washington and exclusive bargaining representatives agreed to under  
7 the provisions of this chapter, if appropriations are necessary to  
8 implement the compensation and fringe benefit provisions of the  
9 bargaining agreements, the governor shall submit a request for such  
10 funds to the legislature according to the provisions of subsection  
11 (3) of this section, except as provided in (c)(iii) of this  
12 subsection.

13 (ii) In the case of bargaining agreements reached between the  
14 University of Washington and exclusive bargaining representatives  
15 agreed to under the provisions of this chapter, if appropriations are  
16 necessary to implement the compensation and fringe benefit provisions  
17 of a bargaining agreement, the governor shall submit a request for  
18 such funds to the legislature according to the provisions of  
19 subsection (3) of this section, except as provided in this subsection  
20 (4)(c)(ii) and as provided in (c)(iii) of this subsection.

21 (A) If appropriations of less than (~~ten thousand dollars~~)  
22 \$10,000 are necessary to implement the provisions of a bargaining  
23 agreement, a request for such funds shall not be submitted to the  
24 legislature by the governor unless the request has been submitted to  
25 the director of the office of financial management by October 1 prior  
26 to the legislative session at which the request is to be considered.

27 (B) If appropriations of (~~ten thousand dollars~~) \$10,000 or more  
28 are necessary to implement the provisions of a bargaining agreement,  
29 a request for such funds shall not be submitted to the legislature by  
30 the governor unless the request:

31 (I) Has been submitted to the director of the office of financial  
32 management by October 1 prior to the legislative session at which the  
33 request is to be considered; and

34 (II) Has been certified by the director of the office of  
35 financial management as being feasible financially for the state.

36 (C) If the director of the office of financial management does  
37 not certify a request under (c)(ii)(B) of this subsection as being  
38 feasible financially for the state, the parties shall enter into  
39 collective bargaining solely for the purpose of reaching a mutually  
40 agreed upon modification of the agreement necessary to address the

1 absence of those requested funds. The legislature may act upon the  
2 compensation and fringe benefit provisions of the modified collective  
3 bargaining agreement if those provisions are agreed upon and  
4 submitted to the office of financial management and legislative  
5 budget committees before final legislative action on the biennial or  
6 supplemental operating budget by the sitting legislature.

7 (iii) In the case of a bargaining unit of employees of  
8 institutions of higher education in which the exclusive bargaining  
9 representative is certified during or after the conclusion of a  
10 legislative session, the legislature may act upon the compensation  
11 and fringe benefit provisions of the unit's initial collective  
12 bargaining agreement if those provisions are agreed upon and  
13 submitted to the office of financial management and legislative  
14 budget committees before final legislative action on the biennial or  
15 supplemental operating budget by the sitting legislature.

16 (5) If, after the compensation and fringe benefit provisions of  
17 an agreement are approved by the legislature, a significant revenue  
18 shortfall occurs resulting in reduced appropriations, as declared by  
19 proclamation of the governor or by resolution of the legislature,  
20 both parties shall immediately enter into collective bargaining for a  
21 mutually agreed upon modification of the agreement.

22 (6) After the expiration date of a collective bargaining  
23 agreement negotiated under this chapter, all of the terms and  
24 conditions specified in the collective bargaining agreement remain in  
25 effect until the effective date of a subsequently negotiated  
26 agreement, not to exceed one year from the expiration date stated in  
27 the agreement. Thereafter, the employer may unilaterally implement  
28 according to law.

29 (7) (a) For the 2019-2021 fiscal biennium, the legislature may  
30 approve funding for a collective bargaining agreement negotiated by a  
31 higher education institution and the Washington federation of state  
32 employees and ratified by the exclusive bargaining representative  
33 before final legislative action on the omnibus appropriations act by  
34 the sitting legislature.

35 (b) Subsection (3) (a) and (b) of this section do not apply to  
36 requests for funding made pursuant to this subsection.

37 (8) (a) For the 2021-2023 fiscal biennium, the legislature may  
38 approve funding for a collective bargaining agreement negotiated by  
39 the governor or governor's designee and the Washington public  
40 employees association community college coalition and the general

1 government agencies and ratified by the exclusive bargaining  
2 representative before final legislative action on the omnibus  
3 appropriations act by the sitting legislature.

4 (b) For the 2021-2023 fiscal biennium, the legislature may  
5 approve funding for a collective bargaining agreement negotiated  
6 between Highline Community College and the Washington public  
7 employees association and ratified by the exclusive bargaining  
8 representative before final legislative action on the omnibus  
9 appropriations act by the sitting legislature.

10 (c) For the 2021-2023 fiscal biennium, the legislature may  
11 approve funding for collective bargaining agreements negotiated  
12 between Eastern Washington University and bargaining units of the  
13 Washington federation of state employees and the public school  
14 employees association, and between Yakima Valley College and the  
15 Washington public employees association, and ratified by the  
16 exclusive bargaining representatives before final legislative action  
17 on the omnibus appropriations act by the sitting legislature.

18 (d) Subsection (3)(a) and (b) of this section does not apply to  
19 requests for funding made pursuant to this subsection.

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