

CERTIFICATION OF ENROLLMENT

**HOUSE BILL 1069**

69th Legislature  
2026 Regular Session

Passed by the House March 9, 2026  
Yeas 78 Nays 17

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**Speaker of the House of  
Representatives**

Passed by the Senate March 4, 2026  
Yeas 31 Nays 18

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**President of the Senate**

Approved

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**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 **HOUSE BILL 1069** as passed by the House of Representatives and the Senate on the dates hereon set forth.

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**Chief Clerk**

FILED

**Secretary of State  
State of Washington**

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HOUSE BILL 1069

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AS AMENDED BY THE SENATE

Passed Legislature - 2026 Regular Session

State of Washington

69th Legislature

2025 Regular Session

By Representatives Fosse, Low, Peterson, Griffey, Bronoske, Timmons, Nance, Goodman, Cortes, Volz, Ormsby, Scott, Mena, Davis, Macri, Stonier, Alvarado, Doglio, Bernbaum, Ryu, Ramel, Berry, Reed, Callan, Obras, Farivar, Ortiz-Self, Simmons, Street, Pollet, Fey, Berg, Lekanoff, Salahuddin, Reeves, Donaghy, and Hill

Prefiled 12/13/24. Read first time 01/13/25. Referred to Committee on Labor & Workplace Standards.

1 AN ACT Relating to allowing collective bargaining over  
2 contributions for certain supplemental retirement benefits; and  
3 amending RCW 41.80.020 and 41.80.040.

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

5 **Sec. 1.** RCW 41.80.020 and 2021 c 13 s 6 are each amended to read  
6 as follows:

7 (1) Except as otherwise provided in this chapter, the matters  
8 subject to bargaining include wages, hours, and other terms and  
9 conditions of employment, and the negotiation of any question arising  
10 under a collective bargaining agreement.

11 (2) The employer is not required to bargain over matters  
12 pertaining to:

13 (a) Health care benefits or other employee insurance benefits,  
14 except as required in subsection (3) of this section and RCW  
15 41.80.040(2);

16 (b) Any retirement system or retirement benefit, except as  
17 required in RCW 41.80.040(2); or

18 (c) Rules of the director of financial management, the director  
19 of enterprise services, or the Washington personnel resources board  
20 adopted under RCW 41.06.157.

1           (3) Matters subject to bargaining include the number of names to  
2 be certified for vacancies, promotional preferences, and the dollar  
3 amount expended on behalf of each employee for health care benefits.  
4 However, except as provided otherwise in this subsection for  
5 institutions of higher education, negotiations regarding the number  
6 of names to be certified for vacancies, promotional preferences, and  
7 the dollar amount expended on behalf of each employee for health care  
8 benefits shall be conducted between the employer and one coalition of  
9 all the exclusive bargaining representatives subject to this chapter.  
10 The exclusive bargaining representatives for employees that are  
11 subject to chapter 47.64 RCW shall bargain the dollar amount expended  
12 on behalf of each employee for health care benefits with the employer  
13 as part of the coalition under this subsection. Any such provision  
14 agreed to by the employer and the coalition shall be included in all  
15 master collective bargaining agreements negotiated by the parties.  
16 For institutions of higher education, promotional preferences and the  
17 number of names to be certified for vacancies shall be bargained  
18 under the provisions of RCW 41.80.010(4). For purposes of this  
19 subsection (3), "health care benefits" does not include contributions  
20 for supplemental retirement benefits under RCW 41.80.040. For  
21 agreements covering the 2013-2015 fiscal biennium, any agreement  
22 between the employer and the coalition regarding the dollar amount  
23 expended on behalf of each employee for health care benefits is a  
24 separate agreement and shall not be included in the master collective  
25 bargaining agreements negotiated by the parties.

26           (4) The employer and the exclusive bargaining representative  
27 shall not agree to any proposal that would prevent the implementation  
28 of approved affirmative action plans or that would be inconsistent  
29 with the comparable worth agreement that provided the basis for the  
30 salary changes implemented beginning with the 1983-1985 biennium to  
31 achieve comparable worth.

32           (5) The employer and the exclusive bargaining representative  
33 shall not bargain over matters pertaining to management rights  
34 established in RCW 41.80.040.

35           (6) Except as otherwise provided in this chapter, if a conflict  
36 exists between an executive order, administrative rule, or agency  
37 policy relating to wages, hours, and terms and conditions of  
38 employment and a collective bargaining agreement negotiated under  
39 this chapter, the collective bargaining agreement shall prevail. A

1 provision of a collective bargaining agreement that conflicts with  
2 the terms of a statute is invalid and unenforceable.

3 (7) This section does not prohibit bargaining that affects  
4 contracts authorized by RCW 41.06.142.

5 (8) RCW 41.58.070 applies to uniformed personnel.

6 **Sec. 2.** RCW 41.80.040 and 2020 c 357 s 913 are each amended to  
7 read as follows:

8 (1) The employer shall not bargain over rights of management  
9 which, in addition to all powers, duties, and rights established by  
10 constitutional provision or statute, shall include but not be limited  
11 to the following:

12 ((+1)) (a) The functions and programs of the employer, the use  
13 of technology, and the structure of the organization;

14 ((+2)) (b) The employer's budget, which includes for purposes of  
15 any negotiations conducted during the 2019-2021 fiscal biennium any  
16 specification of the funds or accounts that must be appropriated by  
17 the legislature to fulfill the terms of an agreement, and the size of  
18 the agency workforce, including determining the financial basis for  
19 layoffs;

20 ((+3)) (c) The right to direct and supervise employees;

21 ((+4)) (d) The right to take whatever actions are deemed  
22 necessary to carry out the mission of the state and its agencies  
23 during emergencies; and

24 ((+5) Retirement) (e) Except for bargaining over supplemental  
25 retirement benefits for department of corrections employees as  
26 required under subsection (2) of this section, retirement plans and  
27 retirement benefits.

28 (2) (a) For department of corrections employees, subsection (1)(e)  
29 of this section does not prevent the employer from bargaining over  
30 contributions for supplemental retirement benefits, including medical  
31 plans, administered by, or on behalf of, an employee organization  
32 that represents department of corrections employees.

33 (b) Notwithstanding any other provision of this chapter,  
34 contributions for supplemental retirement benefits for department of  
35 corrections employees covered under (a) of this subsection are a  
36 mandatory subject of bargaining, but are excluded from interest  
37 arbitration as an impasse procedure under RCW 41.80.200.

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