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**SENATE BILL 5040**

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**State of Washington**

**69th Legislature**

**2025 Regular Session**

**By** Senators Stanford, Holy, Saldaña, Lovick, J. Wilson, Conway, Hasegawa, Valdez, and Wellman

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

1 AN ACT Relating to expanding the definition of uniformed  
2 personnel to all law enforcement officers employed by a city, town,  
3 or county; and amending RCW 41.56.030.

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

5 **Sec. 1.** RCW 41.56.030 and 2024 c 124 s 1 are each amended to  
6 read as follows:

7 As used in this chapter:

8 (1) "Adult family home provider" means a provider as defined in  
9 RCW 70.128.010 who receives payments from the medicaid and state-  
10 funded long-term care programs.

11 (2) "Bargaining representative" means any lawful organization  
12 which has as one of its primary purposes the representation of  
13 employees in their employment relations with employers.

14 (3) "Child care subsidy" means a payment from the state through a  
15 child care subsidy program established pursuant to RCW 74.12.340, 45  
16 C.F.R. Sec. 98.1 through 98.17, or any successor program.

17 (4) "Collective bargaining" means the performance of the mutual  
18 obligations of the public employer and the exclusive bargaining  
19 representative to meet at reasonable times, to confer and negotiate  
20 in good faith, and to execute a written agreement with respect to  
21 grievance procedures, subject to RCW 41.58.070, and collective

1 negotiations on personnel matters, including wages, hours, and  
2 working conditions, which may be peculiar to an appropriate  
3 bargaining unit of such public employer, except that by such  
4 obligation neither party shall be compelled to agree to a proposal or  
5 be required to make a concession unless otherwise provided in this  
6 chapter.

7 (5) "Commission" means the public employment relations  
8 commission.

9 (6) "Executive director" means the executive director of the  
10 commission.

11 (7) "Family child care provider" means a person who: (a) Provides  
12 regularly scheduled care for a child or children in the home of the  
13 provider or in the home of the child or children for periods of less  
14 than twenty-four hours or, if necessary due to the nature of the  
15 parent's work, for periods equal to or greater than twenty-four  
16 hours; (b) receives child care subsidies; and (c) under chapter  
17 43.216 RCW, is either licensed by the state or is exempt from  
18 licensing.

19 (8) "Fish and wildlife officer" means a fish and wildlife officer  
20 as defined in RCW 77.08.010 who ranks below lieutenant and includes  
21 officers, detectives, and sergeants of the department of fish and  
22 wildlife.

23 (9) "Individual provider" means an individual provider as defined  
24 in RCW 74.39A.240(3) who, solely for the purposes of collective  
25 bargaining, is a public employee as provided in RCW 74.39A.270.

26 (10) "Institution of higher education" means the University of  
27 Washington, Washington State University, Central Washington  
28 University, Eastern Washington University, Western Washington  
29 University, The Evergreen State College, and the various state  
30 community colleges.

31 (11)(a) "Language access provider" means any independent  
32 contractor who provides spoken language interpreter services, whether  
33 paid by a broker, language access agency, or the respective  
34 department:

35 (i) For department of social and health services appointments,  
36 department of children, youth, and families appointments, medicaid  
37 enrollee appointments, or who provided these services on or after  
38 January 1, 2011, and before June 10, 2012;

1 (ii) For department of labor and industries authorized medical  
2 and vocational providers who provided these services on or after  
3 January 1, 2019; or

4 (iii) For state agencies who provided these services on or after  
5 January 1, 2019.

6 (b) "Language access provider" does not mean a manager or  
7 employee of a broker or a language access agency.

8 (12) "Public employee" means any employee of a public employer  
9 except any person (a) elected by popular vote, or (b) appointed to  
10 office pursuant to statute, ordinance or resolution for a specified  
11 term of office as a member of a multimember board, commission, or  
12 committee, whether appointed by the executive head or body of the  
13 public employer, or (c) whose duties as deputy, administrative  
14 assistant or secretary necessarily imply a confidential relationship  
15 to (i) the executive head or body of the applicable bargaining unit,  
16 or (ii) any person elected by popular vote, or (iii) any person  
17 appointed to office pursuant to statute, ordinance or resolution for  
18 a specified term of office as a member of a multimember board,  
19 commission, or committee, whether appointed by the executive head or  
20 body of the public employer, or (d) who is a court commissioner or a  
21 court magistrate of superior court, district court, or a department  
22 of a district court organized under chapter 3.46 RCW, or (e) who is a  
23 personal assistant to a district court judge, superior court judge,  
24 or court commissioner. For the purpose of (e) of this subsection, no  
25 more than one assistant for each judge or commissioner may be  
26 excluded from a bargaining unit.

27 (13) "Public employer" means any officer, board, commission,  
28 council, or other person or body acting on behalf of any public body  
29 governed by this chapter, or any subdivision of such public body. For  
30 the purposes of this section, the public employer of district court  
31 or superior court employees for wage-related matters is the  
32 respective county legislative authority, or person or body acting on  
33 behalf of the legislative authority, and the public employer for  
34 nonwage-related matters is the judge or judge's designee of the  
35 respective district court or superior court. For the purposes of this  
36 chapter, public employer does not include a comprehensive cancer  
37 center participating in a collaborative arrangement as defined in RCW  
38 28B.10.930 that is operated in conformance with RCW 28B.10.930.

39 (14) "Uniformed personnel" means: (a) Law enforcement officers as  
40 defined in RCW 41.26.030 employed by the governing body of any city

1 or town (~~with a population of two thousand five hundred or more~~)  
2 and law enforcement officers employed by the governing body of any  
3 county (~~with a population of ten thousand or more~~); (b)  
4 correctional employees who are uniformed and nonuniformed,  
5 commissioned and noncommissioned security personnel employed in a  
6 jail as defined in RCW 70.48.020(9), by a county with a population of  
7 seventy thousand or more, in a correctional facility created under  
8 RCW 70.48.095, or in a detention facility created under chapter 13.40  
9 RCW that is located in a county with a population over one million  
10 five hundred thousand, and who are trained for and charged with the  
11 responsibility of controlling and maintaining custody of inmates in  
12 the jail and safeguarding inmates from other inmates; (c) general  
13 authority Washington peace officers as defined in RCW 10.93.020  
14 employed by a port district in a county with a population of one  
15 million or more; (d) security forces established under RCW 43.52.520;  
16 (e) firefighters as that term is defined in RCW 41.26.030; (f)  
17 employees of a port district in a county with a population of one  
18 million or more whose duties include crash fire rescue or other  
19 firefighting duties; (g) employees of fire departments of public  
20 employers who dispatch exclusively either fire or emergency medical  
21 services, or both; (h) employees in the several classes of advanced  
22 life support technicians, as defined in RCW 18.71.200, who are  
23 employed by a public employer; (i) court marshals of any county who  
24 are employed by, trained for, and commissioned by the county sheriff  
25 and charged with the responsibility of enforcing laws, protecting and  
26 maintaining security in all county-owned or contracted property, and  
27 performing any other duties assigned to them by the county sheriff or  
28 mandated by judicial order; or (j) public safety telecommunicators,  
29 as defined in RCW 38.60.020, employed by a public employer. This  
30 subsection (14)(j) does not apply to public safety telecommunicators  
31 employed by the Washington state patrol or any other state agency.

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