
SENATE BILL 5433

State of Washington

69th Legislature

2025 Regular Session

By Senators Ramos, Holy, Bateman, Krishnadasan, Valdez, and Frame

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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