

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 5040

Chapter 113, Laws of 2025

69th Legislature
2025 Regular Session

INTEREST ARBITRATION RIGHTS—DEFINITION OF UNIFORMED PERSONNEL

EFFECTIVE DATE: July 27, 2025

Passed by the Senate February 25,
2025

Yeas 31 Nays 18

DENNY HECK

President of the Senate

Passed by the House April 12, 2025

Yeas 59 Nays 35

LAURIE JINKINS

**Speaker of the House of
Representatives**

Approved April 22, 2025 9:16 AM

CERTIFICATE

I, Sarah Bannister, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5040** as passed by the Senate and the House of Representatives on the dates hereon set forth.

SARAH BANNISTER

Secretary

FILED

April 22, 2025

BOB FERGUSON

Governor of the State of Washington

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 5040

Passed Legislature - 2025 Regular Session

State of Washington

69th Legislature

2025 Regular Session

By Senate Labor & Commerce (originally sponsored by Senators Stanford, Holy, Saldaña, Lovick, J. Wilson, Conway, Hasegawa, Valdez, and Wellman)

READ FIRST TIME 02/13/25.

1 AN ACT Relating to expanding the definition of uniformed
2 personnel to all law enforcement officers employed by a city, town,
3 county, or governing body of a municipal airport operating under the
4 provisions of chapter 14.08 RCW; and amending RCW 41.56.030.

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

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

8 As used in this chapter:

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

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

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

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

1 grievance procedures, subject to RCW 41.58.070, and collective
2 negotiations on personnel matters, including wages, hours, and
3 working conditions, which may be peculiar to an appropriate
4 bargaining unit of such public employer, except that by such
5 obligation neither party shall be compelled to agree to a proposal or
6 be required to make a concession unless otherwise provided in this
7 chapter.

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

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

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

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

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

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

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

36 (i) For department of social and health services appointments,
37 department of children, youth, and families appointments, medicaid
38 enrollee appointments, or who provided these services on or after
39 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))~~, and law
4 enforcement officers employed by the governing body of a municipal
5 airport operating under the provisions of chapter 14.08 RCW; (b)
6 correctional employees who are uniformed and nonuniformed,
7 commissioned and noncommissioned security personnel employed in a
8 jail as defined in RCW 70.48.020(9), by a county with a population of
9 seventy thousand or more, in a correctional facility created under
10 RCW 70.48.095, or in a detention facility created under chapter 13.40
11 RCW that is located in a county with a population over one million
12 five hundred thousand, and who are trained for and charged with the
13 responsibility of controlling and maintaining custody of inmates in
14 the jail and safeguarding inmates from other inmates; (c) general
15 authority Washington peace officers as defined in RCW 10.93.020
16 employed by a port district in a county with a population of one
17 million or more; (d) security forces established under RCW 43.52.520;
18 (e) firefighters as that term is defined in RCW 41.26.030; (f)
19 employees of a port district in a county with a population of one
20 million or more whose duties include crash fire rescue or other
21 firefighting duties; (g) employees of fire departments of public
22 employers who dispatch exclusively either fire or emergency medical
23 services, or both; (h) employees in the several classes of advanced
24 life support technicians, as defined in RCW 18.71.200, who are
25 employed by a public employer; (i) court marshals of any county who
26 are employed by, trained for, and commissioned by the county sheriff
27 and charged with the responsibility of enforcing laws, protecting and
28 maintaining security in all county-owned or contracted property, and
29 performing any other duties assigned to them by the county sheriff or
30 mandated by judicial order; or (j) public safety telecommunicators,
31 as defined in RCW 38.60.020, employed by a public employer. This
32 subsection (14)(j) does not apply to public safety telecommunicators
33 employed by the Washington state patrol or any other state agency.

Passed by the Senate February 25, 2025.

Passed by the House April 12, 2025.

Approved by the Governor April 22, 2025.

Filed in Office of Secretary of State April 22, 2025.

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