
HOUSE BILL 1362

State of Washington

52nd Legislature

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By Representatives Heavey, Vance, Prentice, Winsley, R. King, Wood, Van Luven, Beck, Dorn, Forner, Riley and Nelson.

Read first time January 28, 1991. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to public employees' collective bargaining; and
2 amending RCW 41.56.030.

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

4 **Sec. 1.** RCW 41.56.030 and 1989 c 275 s 2 are each amended to read
5 as follows:

6 As used in this chapter:

7 (1) "Public employer" means any officer, board, commission,
8 council, or other person or body acting on behalf of any public body
9 governed by this chapter as designated by RCW 41.56.020, or any
10 subdivision of such public body. For the purposes of this section, the
11 public employer of district court employees for wage-related matters is
12 the respective county legislative authority, or person or body acting
13 on behalf of the legislative authority, and the public employer for
14 nonwage-related matters is the judge or judge's designee of the
15 respective district court.

1 (2) "Public employee" means any employee of a public employer
2 except any person (a) elected by popular vote, or (b) appointed to
3 office pursuant to statute, ordinance, or resolution for a specified
4 term of office by the executive head or body of the public employer, or
5 (c) whose duties as deputy, administrative assistant, or secretary
6 necessarily imply a confidential relationship to the executive head or
7 body of the applicable bargaining unit, or any person elected by
8 popular vote or appointed to office pursuant to statute, ordinance, or
9 resolution for a specified term of office by the executive head or body
10 of the public employer, or (d) who is a personal assistant to a
11 district judge or court commissioner. For the purpose of (d) of this
12 subsection, no more than one assistant for each judge or commissioner
13 may be excluded from a bargaining unit.

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

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 in
20 good faith, and to execute a written agreement with respect to
21 grievance procedures and collective negotiations on personnel matters,
22 including wages, hours, and working conditions, which may be peculiar
23 to an appropriate bargaining unit of such public employer, except that
24 by such obligation neither party shall be compelled to agree to a
25 proposal or be required to make a concession unless otherwise provided
26 in this chapter. In the case of the Washington state patrol,
27 "collective bargaining" shall not include wages and wage-related
28 matters.

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

1 (6) "Executive director" means the executive director of the
2 commission.

3 (7) "Uniformed personnel" means (a) law enforcement officers as
4 defined in RCW 41.26.030 (~~((as now or hereafter amended, of cities with~~
5 ~~a population of fifteen thousand or more or law enforcement officers))~~
6 employed by the governing body of any city, town, or county (~~(of the~~
7 ~~second class or larger))~~), or (b) fire fighters as that term is defined
8 in RCW 41.26.030(~~(, as now or hereafter amended))~~).