

SENATE BILL 5105

State of Washington

52nd Legislature

1991 Regular Session

By Senators Rasmussen, Moore and West.

Read first time January 21, 1991. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to collective bargaining for superior court
2 employees; and amending RCW 41.56.020 and 41.56.030.

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

4 **Sec. 1.** RCW 41.56.020 and 1989 c 275 s 1 are each amended to read
5 as follows:

6 This chapter shall apply to any county or municipal corporation, or
7 any political subdivision of the state of Washington, including
8 district courts and superior courts, except as otherwise provided by
9 RCW 54.04.170, 54.04.180, and chapters 41.59, 47.64, and 53.18 RCW.
10 The Washington state patrol shall be considered a public employer of
11 state patrol officers appointed under RCW 43.43.020.

12 **Sec. 2.** RCW 41.56.030 and 1989 c 275 s 2 are each amended to read
13 as follows:

14 As used in this chapter:

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

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

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

26 (4) "Collective bargaining" means the performance of the mutual
27 obligations of the public employer and the exclusive bargaining
28 representative to meet at reasonable times, to confer and negotiate in
29 good faith, and to execute a written agreement with respect to
30 grievance procedures and collective negotiations on personnel matters,

1 including wages, hours and working conditions, which may be peculiar to
2 an appropriate bargaining unit of such public employer, except that by
3 such obligation neither party shall be compelled to agree to a proposal
4 or be required to make a concession unless otherwise provided in this
5 chapter. In the case of the Washington state patrol, "collective
6 bargaining" shall not include wages and wage-related matters.

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

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

10 (7) "Uniformed personnel" means (a) law enforcement officers as
11 defined in RCW 41.26.030 as now or hereafter amended, of cities with a
12 population of fifteen thousand or more or law enforcement officers
13 employed by the governing body of any county of the second class or
14 larger, or (b) fire fighters as that term is defined in RCW 41.26.030,
15 as now or hereafter amended.