

HOUSE BILL REPORT

SSB 6195

As Passed House
March 2, 1994

Title: An act relating to the public employment relations commission.

Brief Description: Modifying enforcement authority of the public employment relations commission.

Sponsors: Senate Committee on Labor & Commerce (originally sponsored by Senators Prentice, Moore, McAuliffe, West, Franklin, Ludwig, Roach, Fraser, Bauer, Vognild and Pelz).

Brief History:

Reported by House Committee on:
Commerce & Labor, February 23, 1994, DP;
Passed House, March 2, 1994, 82-13.

HOUSE COMMITTEE ON COMMERCE & LABOR

Majority Report: Do pass. Signed by 7 members:
Representatives Heavey, Chair; G. Cole, Vice Chair;
Chandler, Assistant Ranking Minority Member; Conway; King;
Springer and Veloria.

Minority Report: Do not pass. Signed by 2 members:
Representatives Lisk, Ranking Minority Member; and Horn.

Staff: Chris Cordes (786-7117).

Background: Employees of cities, counties and other political subdivisions of the state bargain their wages and working conditions under the Public Employees' Collective Bargaining Act. The act directs the Public Employment Relations Commission to prevent unfair labor practices and to issue appropriate remedial orders. Certain procedures are established for adjudicating unfair labor practice cases. Thirty days after the commission has entered its finding in an unfair labor practice case, the commission or any party to the proceedings may petition the Superior Court for enforcement action.

Summary of Bill: The Public Employment Relations Commission is directed to issue a cease and desist order if an unfair labor practice has occurred or is occurring. The order may also require action such as the payment of damages or

reinstatement of employees when the action will effectuate the policy of the Public Employees' Collective Bargaining Act (PECBA). The commission's actions must follow the requirements of the Administrative Procedures Act (APA) and the APA's right of judicial review applies to the commissions actions and rules.

The commission may petition the Superior Court for enforcement of its order and appropriate temporary relief.

Sections of the PECBA are repealed that established procedural requirements for unfair labor practice cases, including authority for the commission or any party to the proceedings to petition the superior court for enforcement action 30 days after the commission entered findings of fact in the unfair labor practice case.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: Unfair labor practices cases are not resolved very quickly. It can take months or years before the Public Employment Relations Commission issues a final order. There needs to be authority early in the process to get temporary relief from Superior Court when the situation could result in irreparable harm to a party. This bill will make the unfair labor practice provisions administered by the commission more uniform.

Testimony Against: None.

Witnesses: David Westberg, International Union of Operating Engineers; and Marvin Schurke, Public Employment Relations Commission.