

# HOUSE BILL REPORT

## EHB 1067

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As Passed Legislature

**Title:** An act relating to public employee collective bargaining.

**Brief Description:** Providing for correctional employees collective bargaining.

**Sponsors:** Representatives Orr, Mielke, Dellwo, King, Franklin, Ludwig, Riley, Brown, Jones, Holm, Chappell, Pruitt and J. Kohl.

**Brief History:**

Reported by House Committee on:  
Commerce & Labor, January 19, 1993, DPA;  
Passed House, February 5, 1993, 91-2;  
Amended by Senate;  
Passed Legislature, April 19, 1993, 94-2.

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### HOUSE COMMITTEE ON COMMERCE & LABOR

**Majority Report:** Do pass as amended. Signed by 6 members: Representatives Heavey, Chair; G. Cole, Vice Chair; Franklin; 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:** County employees bargain their wages and working conditions under the Public Employees' Collective Bargaining Act (PECBA). For uniformed personnel, PECBA recognizes the public policy against strikes as a means of settling labor disputes. To resolve disputes involving these uniformed personnel, PECBA requires binding arbitration if negotiations for a contract reach impasse and cannot be resolved through mediation.

Correctional employees working in county jail facilities are not "uniformed personnel" covered by the PECBA's binding interest arbitration procedures. Uniformed personnel are defined as fire fighters in all cities and counties and law enforcement officers in the larger jurisdictions (in cities with a population 15,000 or more, and in counties with a population of 70,000 or more). Law enforcement officers

include county sheriffs and deputy sheriffs, city police officers, or town marshals.

**Summary of Bill:** The binding interest arbitration provisions of the Public Employees' Collective Bargaining Act for uniformed personnel are extended to correctional employees of counties with a population of 70,000 or more, who are trained for and charged with responsibility for custody of inmates in a jail.

**Fiscal Note:** Requested January 18, 1993.

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

**Testimony For:** Because interruption of public services can be a serious problem for the state, the state has a policy of requiring arbitration to settle contract disputes for public safety employees. Correctional employees are not included although they play an important role in the criminal justice system and are usually considered to be public safety employees. These employees are willing to give up the right to strike and to accept arbitration as a means of settling contract disputes.

**Testimony Against:** There have been cases of arbitration in which the award was higher than would be indicated under the arbitrator standards. Arbitration can be very expensive for the local government. Arbitrators are not accountable to the public as are the elected officials. A high arbitration award can affect the pay scales for other employees. It is not appropriate to include California counties when comparing jurisdictions.

**Witnesses:** (in favor) Representative George Orr, prime sponsor; and Sam Kinville, Washington State Council of County and City Employees. (opposed) Bill Vogler, Washington Association of Counties; and Dick Anderson, Cowlitz County.