

FINAL BILL REPORT

ESHB 2054

C 281 L 93
Synopsis as Enacted

Brief Description: Reforming public employment law.

By House Committee on Appropriations (originally sponsored by Representatives Peery, Reams, Anderson, Heavey, R. Fisher, G. Cole, Ogden and Lemmon; by request of Governor Lowry).

House Committee on Appropriations
Senate Committee on Labor & Commerce

Background:

CIVIL SERVICE

State Civil Service System: The State Personnel Board, composed of three members appointed by the governor, sets overall policy for the civil service system as it applies to state employees. The board has some appeals authority, but most state civil service appeals are heard by the Personnel Appeals Board.

The director of the Department of Personnel (DOP) is responsible for the central administration of the state civil service system. The governor appoints the director from a list of three names submitted by the board, which selects these candidates based on a competitive examination.

Certain employees are exempt from state civil service. A position may be designated exempt either by statute or by the State Personnel Board at the request of the governor or another statewide elected official. The requested exemptions are limited to 187 positions for the governor and 25 for other elected officials. Examples of statutory exemptions include directors and assistant directors of state agencies; assistant attorneys general; officers of the State Patrol; and in agencies with more than 50 employees, deputy and division directors, and up to three principal policy assistants reporting to a director or deputy director.

The Career Executive Program was established in 1980 to promote excellence in managerial skills. No more than 2 percent of civil service employees may participate in the program. Currently, about 600 employees in 50 agencies take part. Other non-exempt management employees are generally

treated the same as non-management employees under civil service rules.

DOP is funded through a charge to agencies of not more than 1 percent of the salaries of classified employees.

Higher Education Civil Service System: The Higher Education Personnel Board (HEPB) is also composed of three members appointed by the governor. Like the State Personnel Board, HEPB sets overall policy for classified employees of four-year institutions and community colleges. However, administration of the higher education civil service system is decentralized and performed by each individual institution.

HEPB is funded through a charge to institutions of not more than 0.5 percent of the salaries of classified employees.

Summary:

CIVIL SERVICE

Consolidation of Civil Service Systems: The state civil service system and the higher education personnel law are consolidated into one civil service system. The Higher Education Personnel Board and the State Personnel Board are abolished. The powers and functions of these boards are transferred to the Washington Personnel Resources Board.

The Washington Personnel Resources Board is composed of three members appointed by the governor, subject to Senate confirmation. These requirements are the same as for the current State Personnel Board and the current members will serve out their terms.

The director of personnel is appointed by the governor, subject to Senate confirmation, and serves at the governor's pleasure.

Rules for Agency Managers: The director is authorized to adopt personnel rules for non-exempt managers in agencies other than institutions of higher education. These rules are separate from the rules adopted by the board and are not subject to review by the board. Managers under these rules may be disciplined or dismissed only for cause.

Training courses for supervisory or management positions will focus on the critical knowledge, skills, and abilities for successful management performance, and include instruction on managing and valuing diversity in the workplace. Civil service rules and agency policies will be

reviewed to ensure that they support workplace diversity goals.

The Career Executive Program is abolished.

Exemptions from Civil Service: The number of exempt positions in the "governor's pool" is increased from 187 positions to 1 percent of the classified service, not including employees of institutions of higher education. An employee whose position is exempted may appeal the exemption to the Personnel Appeals Board.

Certification of Names for Vacancies: The number of names certified for vacancies is increased from 5 names to 7 names of applicants rated highest on eligibility lists.

Other Provisions: Agencies are directed to use joint employee-management committees to collaborate on organizational structures and improvements, to solve workplace and system delivery problems, and address other issues including employee empowerment and quality of work life issues.

The charges paid by agencies and institutions of higher education to the Department of Personnel service fund are increased to a maximum of 1.5 percent of the wages in the classified service. The current maximum charge is 1 percent for state agencies and 0.5 percent for institutions of higher education.

A task force is created to study and make recommendations to the Legislature by December 1, 1993, on all aspects of the provision of personnel resources, including collective bargaining and contracting for services. The task force is composed of three House members, three Senate members, five persons appointed by the governor, and representatives from employee organizations with at least 500 dues-paying members.

Votes on Final Passage:

House	54	44	
Senate	37	10	(Senate amended)
House	94	3	(House concurred)

Effective: July 1, 1993
July 25, 1993 (Section 72)
July 1, 1997 (Section 67)