

SENATE BILL REPORT

EHB 1067

AS REPORTED BY COMMITTEE ON LABOR & COMMERCE, MARCH 31, 1993

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

HOUSE COMMITTEE ON COMMERCE & LABOR

SENATE COMMITTEE ON LABOR & COMMERCE

Majority Report: Do pass as amended.

Signed by Senators Moore, Chairman; Prentice, Vice Chairman; Amondson, Barr, McAuliffe, Sutherland, and Vognild.

Staff: Jonathan Seib (786-7427)

Hearing Dates: March 18, 1993; March 31, 1993

BACKGROUND:

County employees bargain their wages and working conditions under the Public Employees' Collective Bargaining Act (PECBA). For certain 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:

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 juvenile detention facility or a jail.

SUMMARY OF PROPOSED SENATE AMENDMENT:

Correctional employees in juvenile detention facilities are removed from the bill.

Appropriation: none

Revenue: none

Fiscal Note: requested

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.

TESTIFIED: Representative Orr; Sam Kinville, City and County Employees (pro); Mike Ryherd, Mark Rogstad, Joint Council of Teamsters (pro); Bill Voglar, Washington State Association of Counties (con); Dick Anderson, Cowlitz County (con); Randy Adrian, Whatcom Corrections Officer (pro)