

FINAL BILL REPORT

SSB 5483

C 473 L 93

SYNOPSIS AS ENACTED

Brief Description: Providing for arbitration in public transportation labor negotiations.

SPONSORS: Senate Committee on Labor & Commerce (originally sponsored by Senators Prentice, Winsley, Vognild, Wojahn, Moore, Rinehart, McAuliffe, Sutherland, Pelz and Franklin)

SENATE COMMITTEE ON LABOR & COMMERCE

HOUSE COMMITTEE ON COMMERCE & LABOR

BACKGROUND:

In 1964, the U.S. Congress passed the Urban Mass Transportation Act (UMTA) to provide financial assistance to state and local governments for the development of mass transportation systems. This included providing financing for the acquisition of already-existing private transit systems. A state or local government may not receive these funds, however, unless the agency enters into an agreement, known as a Section 13(c) agreement, which details the conditions the state or local government must meet.

One of the conditions to receiving federal assistance requires employers to preserve the rights, privileges and benefits to employees under existing collective bargaining agreements. Until 1982, the Secretary of Labor and the lower federal courts required that transit employers provide their employees with a right to interest arbitration for labor disputes, because as public employees, they no longer had a right to strike.

In 1982, however, the U.S. Supreme Court held that disputes arising under Section 13(c) agreements must be decided in state courts according to state law. Under Washington statute, transit workers do not have the right to interest arbitration.

SUMMARY:

The general binding arbitration provisions of the Public Employees' Collective Bargaining Act are made applicable to employees of local government transportation systems, with certain special provisions.

Negotiations between the parties may commence at any time. If no agreement has been reached 90 days after the commencement of negotiations, the issues in dispute may be submitted to

mediation by either party. Mediation may be provided by the Public Employment Relations Commission, or others, at the discretion of the parties.

If no agreement is reached following a reasonable period of negotiations and mediation, either party may demand that the issues in disagreement be submitted to arbitration. Criteria that the arbitration panel is to consider in making its decisions are established.

VOTES ON FINAL PASSAGE:

Senate	34	14	
House	62	36	(House amended)
Senate	31	15	(Senate concurred)

EFFECTIVE: July 25, 1993