

HOUSE BILL REPORT

HB 2722

As Passed Legislature

Title: An act relating to bargaining units for employees of institutions of higher education governed by chapter 41.56 RCW.

Brief Description: Excluding exempt positions from bargaining units of employees of institutions of higher education governed by chapter 41.56 RCW.

Sponsors: Representatives Kenney, Carlson and Esser; by request of University of Washington.

Brief History:

Committee Activity:

Higher Education: 2/1/00, 2/2/00 [DP].

Floor Activity:

Passed House: 2/9/00, 97-0.

Passed Senate: 2/29/00, 48-0.

Passed Legislature.

Brief Summary of Bill

· Amends chapter 41.56 RCW to allow the civil service exemption for those bargaining units at public institutions of higher education opting to have full collective bargaining under the public employees bargaining law.

HOUSE COMMITTEE ON HIGHER EDUCATION

Majority Report: Do pass. Signed by 8 members: Representatives Carlson, Republican Co-Chair; Kenney, Democratic Co-Chair; Lantz, Democratic Vice Chair; Radcliff, Republican Vice Chair; Dunn; Edmonds; Esser and Gombosky.

Staff: Tracey Taylor (786-7196).

Background:

Under the state civil service system, classified employees of higher education institutions have limited bargaining rights. This means bargaining units and institutions may only

bargain over matters within an institution's legal control. Certain higher education positions are exempt from the civil service law in RCW 41.06.070(2), including all presidents, vice-presidents, their confidential secretaries, administrative and personnel assistants, as well as deans, and directors.

In 1993, the Legislature granted higher education institutions and unions representing their employees, the option to have full collective bargaining under the public employees collective bargaining law, Chapter 41.56 RCW. This means the bargaining units and institutions may bargain over wages, hours, and working conditions subject to the jurisdiction of the Public Employment Relations Commission (PERC). The University of Washington and the Classified Staff Association, District 925 (CSA), have exercised that option for several bargaining units.

A dispute arose between the university and the CSA about whether the civil service exemptions applied to the bargaining units which transferred to the collective bargaining law. The executive director of the PERC ruled that they did not apply.

Summary of Bill:

The applicability of the civil service exemption is reinstated in RCW 41.06.070 for bargaining units which have been transferred to the public employees collective bargaining law, Chapter 41.56 RCW.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: Both the university and the union agreed that this statute needs clarification. It allows for reclassification or promotion to a classified exempt position, which was the situation prior to 1993. An employee would also get a full appeal hearing if they disagreed with management's decision regarding a move to exempt status. Thus, the employees really benefit from this change.

Testimony Against: None.

Testified: Dick Thompson, University of Washington; Daniel Kraus, University of Washington; and Kim Cook, Classified Staff Association, District 925, Service Employees International Union.