

SENATE BILL REPORT

SSB 5115

As of Third Reading, January 28, 2000

Title: An act relating to judicial review of public employment relations commission proceedings.

Brief Description: Changing judicial review of public employment relations commission proceedings.

Sponsors: Senate Committee on Labor & Workforce Development (originally sponsored by Senators Heavey, Prentice, Kline and Fairley).

Brief History:

Committee Activity: Labor & Workforce Development: 2/1/99, 2/15/99 [DPS].

Passed Senate, 3/11/99, 47-0.

Failed Senate, 1/28/00, 22-18.

SENATE COMMITTEE ON LABOR & WORKFORCE DEVELOPMENT

Majority Report: That Substitute Senate Bill No. 5115 be substituted therefor, and the substitute bill do pass.

Signed by Senators Fairley, Chair; Franklin, Vice Chair; Hochstatter, Kline, Oke and Wojahn.

Staff: Jack Brummel (786-7428)

Background: The Public Employment Relations Commission (PERC) adjudicates collective bargaining and other disputes between public employers and their employees. If the commission determines that a person has engaged in an unfair labor practice, it is required to issue a cease and desist order, and may require payment of damages and reinstatement of employees. The commission may also petition the superior court for enforcement of its orders and for temporary relief.

Summary of Bill: PERC's final decisions may be appealed directly to the Court of Appeals.

Appropriation: None.

Fiscal Note: Requested on January 27, 1999.

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

Testimony For: A superior court decision on a PERC case establishes no precedent and adds 12 months on average to a case. The bill will provide a streamlined process with prompt and swift adjudication.

Concern: What would be the effect of the required petition in the bill?

Testimony Against: None.

Testified: David Westberg, Operating Engineers Union (pro); Doug Levy, City of Everett (concerns).