

1 **2SHB 2403** - H AMD

2 By Representative Clements

3 On page 12, line 25, after "REMEDIES." insert "(1)"

4 On page 12, after line 35, insert the following:

5 "(2) For the purposes of this subsection, "strike" includes any
6 concerted action by faculty members or employee organizations to
7 suspend, curtail, interrupt, withhold, or otherwise fail or refuse to
8 perform fully their normal duties or services as employees in
9 connection with a controversy concerning terms or conditions of their
10 public employment, or concerning the association or representation of
11 persons in negotiating, fixing, maintaining, changing, or seeking to
12 arrange terms or conditions of their public employment, regardless of
13 whether the disputants in the controversy stand in the proximate
14 relation of employer and employee. A strike includes, but is not
15 limited to, any concerted action that would result in delaying the
16 determination of student grades or that would impair a student's
17 eligibility to graduate because of the failure to perform normal
18 duties.

19 (3) If, upon the motion of a student or student's parent, faculty
20 member, or the employer, a court finds that as a result of a strike
21 student grades are unreasonably delayed or that a student's eligibility
22 to graduate is impaired because of a delayed transcript, the court
23 shall impose a civil penalty of one thousand dollars for each day of
24 the delay to be paid by the exclusive bargaining representative of the
25 faculty bargaining unit that engaged in a strike."

EFFECT: Adds a definition of strike that includes any concerted action by faculty members who fail to perform their normal duties fully, including actions that result in delaying student grades or impairing student graduation. A court must impose a \$1,000 penalty for each day of delay, to be paid by the exclusive bargaining representative.