1 **SHB 2540** - H AMD **Failed 0187 February 19, 2002**
2   By Representative ___

3   On page 3, after line 31, insert the following:

4   "(3)(a) Strikes by employees covered under this section are
5 prohibited.

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

19   (c) 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 bargaining unit that engaged in a strike."

EFFECT: Adds that strikes by covered student employees are
prohibited and adds a definition of strike that includes any
concerted action by employees 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.