

SENATE BILL REPORT

SB 6403

As Reported By Senate Committee On:
Labor, Commerce & Financial Institutions, January 31, 2002
Ways & Means, February 13, 2002

Title: An act relating to collective bargaining for University of Washington employees who are enrolled in academic programs.

Brief Description: Authorizing collective bargaining for University of Washington employees who are enrolled in academic programs.

Sponsors: Senators Kohl-Welles, Prentice, Winsley, Keiser, Kline and Gardner.

Brief History:

Committee Activity: Labor, Commerce & Financial Institutions: 1/22/02, 1/31/02 [DPS, DNP].

Ways & Means: 2/13/02 [DPS (LCF), DNP].

SENATE COMMITTEE ON LABOR, COMMERCE & FINANCIAL INSTITUTIONS

Majority Report: That Substitute Senate Bill No. 6403 be substituted therefor, and the substitute bill do pass.

Signed by Senators Prentice, Chair; Keiser, Vice Chair; Fairley, Franklin, Gardner, Rasmussen, Regala and Winsley.

Minority Report: Do not pass.

Signed by Senators Benton, Deccio, Hochstatter and Honeyford.

Staff: Jack Brummel (786-7428)

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: That Substitute Senate Bill No. 6403 as recommended by Committee on Labor, Commerce & Financial Institutions be substituted therefor, and the substitute bill do pass.

Signed by Senators Brown, Chair; Regala, Vice Chair; Fraser, Kline, Kohl-Welles, Poulsen, Rasmussen, B. Sheldon, Snyder, Spanel, Thibaudeau and Winsley.

Minority Report: Do not pass.

Signed by Senator Rossi.

Staff: Karen Barrett (786-7711)

Background: Employees enrolled in academic programs at the University of Washington, like other students, are exempt from the state civil service law. As a result, they do not have

a right to engage in collective bargaining under the state civil service collective bargaining law. Nor are student employees recognized under the Public Employees' Collective Bargaining Act (PECBA). Consequently, while the University of Washington may have an implied power, it likely does not have an obligation to negotiate with teaching assistants, research assistants, or their representatives over terms of employment.

Summary of Substitute Bill: Legislative intent related to cooperative labor relations, the importance of shared governance, and the university's authority in administration and admissions is stated. Students enrolled at the University of Washington who provide instructional and research services may collectively bargain under PECBA.

Not negotiable are decisions a university might make to terminate the employment relationship when a student does not meet academic requirements of the institution. Nor may parties bargain over the amount of tuition and fees charged by the University of Washington. However, parties may bargain over tuition waiver or remissions to student employees.

Compensation provisions of bargained agreements may not exceed the amount or percentage authorized by the Legislature through appropriations, but additional compensation from other local, nonstate sources is allowed.

Substitute Bill Compared to Original Bill: The substitute bill added a legislative intent section and language relating to compensation provisions.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill contains an emergency clause and takes effect immediately.

Testimony For (Labor, Commerce & Financial Institutions): A majority of academic employees have signed cards saying they would like to be represented in collective bargaining. They are one of the only groups of employees that do not have collective bargaining rights. The bill would put student employees under existing collective bargaining law.

Testimony Against (Labor, Commerce & Financial Institutions): Concerns: The University agrees that teaching and research assistants should have collective bargaining rights but wants to ensure the legitimate authority of the university.

Testified (Labor, Commerce & Financial Institutions): PRO: Kristen Intiman, GSEAC/UAW; Maryann Massenburg, UAW; David Nixon, GPSS; Senator Kohl-Welles. CONCERNS: Howard Pripas, Richard Thompson, UW.

Testimony For (Ways & Means): Negotiations are underway with GSEAC on behalf of teaching assistants and in that effort, the University of Washington has expressed its willingness to assume related costs. Given the budget situation now facing the State, the University believes that clear and cogent contracts will be necessary to provide a roadmap for layoffs and reductions. Teaching assistants at the University of Washington did strike last

Spring and the student action was not over compensation terms but rather over the principle of the right to negotiate as employees of the University.

Testimony Against (Ways & Means): None.

Testified (Ways & Means): PRO: Richard Thompson, University of Washington; Kristen Intiman, GSEAC/UAW.