

SENATE BILL REPORT

EHB 1777

As Reported By Senate Committee On:
Ways & Means, March 9, 2004

Title: An act relating to implementing the collective bargaining agreement between the home care quality authority and individual home care providers.

Brief Description: Implementing the collective bargaining agreement between the home care quality authority and individual home care providers.

Sponsors: Representatives Morrell, DeBolt, Cody, Benson, Sullivan, Woods, Pettigrew, McDonald, Wallace, Priest, G. Simpson, Roach, Grant, Hinkle, Santos, Jarrett, Hunt, Blake, Dunshee, Conway, Kirby, Hankins, Clibborn, Linville, Kagi, Kessler, Kenney, Schual-Berke, Darneille, Rockefeller, Wood, Lovick, Campbell, McDermott, Hudgins and Edwards.

Brief History:

Committee Activity: Ways & Means: 3/9/04 [DPA].

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: Do pass as amended.

Signed by Senators Zarelli, Chair; Hewitt, Vice Chair; Parlette, Vice Chair; Carlson, Doumit, Fairley, Fraser, Hale, Honeyford, Johnson, Pflug, Prentice, Rasmussen, Regala, Sheahan, B. Sheldon and Winsley.

Staff: Steve Jones (786-7440)

Background: The state contracts with home care workers to provide long-term care services for elderly and disabled clients who are eligible for Medicaid through the Department of Social and Health Services' (DSHS) Aging and Adult Services and Developmental Disabilities programs. Home care workers provide the DSHS clients with personal care assistance with various tasks such as toileting, bathing, dressing, ambulating, meal preparation, and household chores. The state contracts with both individual home care workers and with private agencies providing these services.

In November 2001, the voters of the state enacted Initiative Measure No. 775 (I-775), which provides individual home care workers with collective bargaining rights. The initiative establishes the Home Care Quality Authority (HCQA) as an agency of state government to provide oversight of home care services and, for purposes of collective bargaining, to function as the "employer" of approximately 26,000 individual home care workers.

Upon completion of collective bargaining between the HCQA and the bargaining representative of the individual home care workers, I-775 requires the Governor to submit to the Legislature a request for the funds and any legislation necessary to implement the collective bargaining agreement. The Legislature may only approve or reject the submission of the request for funds as a whole. If the Legislature rejects or fails to act on the request, the

collective bargaining agreement is reopened solely for the purpose of renegotiating the funds necessary to implement the agreement.

In August 2002, the individual home care workers voted to unionize. An initial contract submitted to the Legislature in January 2003 was returned to the parties for renegotiation after the Legislature adjourned without approving the funds for the contract. A request to fund a new collective bargaining agreement has been submitted to the 2004 Legislature.

The new contract proposal provides for an hourly wage increase of 50 cents per hour (from \$8.43 to \$8.93 per hour), a contribution up to \$400 per month per worker for health insurance coverage, and coverage under the state's industrial insurance (workers compensation) program.

Summary of Amended Bill: The Legislature declares its intent to provide the funding necessary to implement the proposed collective bargaining agreement between the Home Care Quality Authority and the bargaining representative of the individual home care workers. The following appropriations are made to the Department of Social and Health Services:

- \$6.8 million from the General Fund-State to provide an hourly wage increase of fifty cents per hour.
- \$10.2 million from the General Fund-State for health insurance contributions of up to \$400 per month per worker.
- \$5.5 million from the General Fund-State for industrial insurance coverage.
- \$1.4 million from the General Fund-State for administrative, labor, and employment relations costs related to implementing the collective bargaining agreement.

Amended Bill Compared to Original Bill: Technical corrections are made to the appropriation amounts.

Appropriation: See Summary of Bill above.

Fiscal Note: Available.

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

Testimony For: None.

Testimony Against: None.

Testified: No one.