

SENATE BILL REPORT

EHB 3183

As Reported By Senate Committee On:
Commerce & Trade, February 26, 2004

Title: An act relating to negotiating state patrol officer wages and wage-related matters.

Brief Description: Negotiating state patrol officer wages and wage-related matters.

Sponsors: Representatives Conway, Delvin, G. Simpson, Cooper, Roach, Campbell and Morrell.

Brief History:

Committee Activity: Commerce & Trade: 2/26/04 [DP].

SENATE COMMITTEE ON COMMERCE & TRADE

Majority Report: Do pass.

Signed by Senators Honeyford, Chair; Hewitt, Vice Chair; Franklin, Keiser and Mulliken.

Staff: Jennifer Strus (786-7316)

Background: Employees of cities, counties, and other political subdivisions of the state bargain their wages and working conditions under the Public Employees' Collective Bargaining Act (PECBA). The Washington State Patrol (WSP) is also subject to the PECBA as the public employer of its appointed officers.

Under the PECBA, the employer and exclusive bargaining representative have a mutual obligation to negotiate in good faith over specified mandatory subjects of bargaining: grievance procedures and personnel matters, including wages, hours, and working conditions. With respect to negotiations between the Washington State Patrol and its appointed officers, the subjects of bargaining include wage-related matters, but negotiations are prohibited over rates of pay, wage levels, or matters relating to retirement benefits, health care, or other employee insurance benefits. If wage-related provisions are entered into before the Legislature approves the necessary funding, then these provisions must be conditioned on subsequent approval of the funds.

WSP officers and certain other law enforcement officers and fire fighters are considered "uniformed personnel." To resolve bargaining disputes involving these uniformed personnel, the PECBA requires binding interest arbitration if negotiations for a contract reach impasse and cannot be resolved through mediation.

Summary of Bill: Subjects of bargaining for the officers of the WSP include all wage and wage-related matters, except that negotiations over retirement benefits, health care, or other employee insurance benefits continue to be prohibited.

For the purpose of bargaining with state patrol officers, the state is the employer. When negotiating:

- wages and wage-related matters, the state is represented by the Governor or Governor's designee appointed under the Personnel System Reform Act of 2002; and
- nonwage-related matters, the state is represented by the WSP.

When negotiating wages and wage-related matters, the Governor's designee must consult with a subcommittee of the Joint Committee on Employment Relations (JCER). This subcommittee consists of the JCER leadership members and the chairs and ranking minority members of the Senate Highways and Transportation Committee and the House Transportation Committee.

If an impasse in negotiations results in an arbitration award, that decision is not binding on the Legislature. If the Legislature does not approve the funds necessary to implement the wage and wage-related matters of an arbitrated collective bargaining agreement, the arbitration decision is not binding on the state or the WSP.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: This will allow the State Patrol to be in the same negotiating position as other state employees. The amendment added in the House makes the bill a better bill.

Testimony Against: None.

Testified: PRO: Rick Jensen, Troopers' Association.