

HOUSE BILL REPORT

SB 6411

As Passed House - Amended:

March 1, 2006

Title: An act relating to collective bargaining agreements.

Brief Description: Allowing six-year long collective bargaining agreements.

Sponsors: By Senators Doumit, Parlette, Pridemore, Delvin, Fraser, McAuliffe, Shin and Kohl-Welles.

Brief History:

Committee Activity:

Commerce & Labor: 2/22/06, 2/23/06 [DPA].

Floor Activity:

Passed House - Amended: 3/1/06, 74-24.

Brief Summary of Bill (As Amended by House)

- Increases the maximum allowable term for certain collective bargaining agreements from three to six years.
- Modifies the number of votes that constitute a majority in a representation election by basing the calculation on the number of ballots cast.

HOUSE COMMITTEE ON COMMERCE & LABOR

Majority Report: Do pass as amended. Signed by 5 members: Representatives Conway, Chair; Wood, Vice Chair; Hudgins, Kenney and McCoy.

Minority Report: Do not pass. Signed by 3 members: Representatives Condotta, Ranking Minority Member; Chandler, Assistant Ranking Minority Member and Crouse.

Staff: Lara Zarowsky (786-7119) and Chris Cordes (786-7103).

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). Various other public employees also bargain under the auspices of the PECBA, including: Washington state patrol officers and other specified "uniformed personnel," classified

employees at school districts and technical colleges, teaching assistants at the University of Washington, and individual providers (home care workers).

Duration of Collective Bargaining Agreements

Under the PECBA, the employer and exclusive bargaining representative have a mutual obligation to negotiate in good faith and to execute a written agreement over specified mandatory subjects of bargaining (grievance procedures and personal matters, including wages, hours and working conditions). A collective bargaining agreement is not valid if it provides for a term of more than three years.

Representation Elections

Representation elections are held to determine the exclusive bargaining representative for a unit of public employees. Such elections are held by secret ballot. Ballots include an option for each of the prospective bargaining representatives and an option for an employee to designate that he or she does not desire to be represented by any bargaining agent. The prevailing option is the one receiving a majority vote of the public employees within the bargaining unit. If none of the options receive a majority vote of the public employees within the bargaining unit, a run-off election is held to determine the outcome of the election.

Summary of Amended Bill:

Under the PECBA, the maximum allowable term for collective bargaining agreements between a public employer and an exclusive bargaining representative is increased from three to six years. A majority of votes in a representation election is determined by calculating the outcome based on the number of valid ballots cast rather than the number of employees within a bargaining unit.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date of Amended Bill: The bill takes effect 90 days after adjournment of session in which bill is passed.

Testimony For: (In support) Negotiating new collective bargaining agreements has high costs and is an administrative burden. Since the bill allows but does not mandate six year agreements, there is more discretion and opportunities are broadened for the parties. The section of the bargaining law that requires a majority vote in a representation election to be based on the number of employees within the unit is an anomaly, and the standard is too high. If a super-majority is not reached, then a run-off election has to be held, but there is no requirement that a run-off candidate has to win by a super-majority. Either way, the representation organization is elected without getting a super-majority, so the way this law is

written just requires the expense of a run-off election for no reason. This is an efficiency measure. Smaller jurisdictions would benefit from longer term agreements.

(Information only) Changing the election procedure would bring this collective bargaining law into conformity with the others administered by the Public Employment Relations Commission.

Testimony Against: None.

Persons Testifying: (In support) Senator Doumit, prime sponsor; George Raiter, Cowlitz County Commissioner; Jim Justin, Association of Washington Cities; Pat Thompson, Washington State Council of County and City Employees; and Kim Cook, Service Employees International Union Local 925.

(Information only) Ken Latsch, Public Employment Relations Commission.

Persons Signed In To Testify But Not Testifying: None.