
HOUSE BILL 2460

State of Washington

59th Legislature

2006 Regular Session

By Representatives Takko and Blake

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Committee on Commerce & Labor.

1 AN ACT Relating to making the interest arbitration provisions of
2 the public employees' collective bargaining act apply to certain
3 employees of certain juvenile detention facilities; and amending RCW
4 41.56.030.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 **Sec. 1.** RCW 41.56.030 and 2004 c 3 s 6 are each amended to read as
7 follows:

8 As used in this chapter:

9 (1) "Public employer" means any officer, board, commission,
10 council, or other person or body acting on behalf of any public body
11 governed by this chapter, or any subdivision of such public body. For
12 the purposes of this section, the public employer of district court or
13 superior court employees for wage-related matters is the respective
14 county legislative authority, or person or body acting on behalf of the
15 legislative authority, and the public employer for nonwage-related
16 matters is the judge or judge's designee of the respective district
17 court or superior court.

18 (2) "Public employee" means any employee of a public employer
19 except any person (a) elected by popular vote, or (b) appointed to

1 office pursuant to statute, ordinance or resolution for a specified
2 term of office as a member of a multimember board, commission, or
3 committee, whether appointed by the executive head or body of the
4 public employer, or (c) whose duties as deputy, administrative
5 assistant or secretary necessarily imply a confidential relationship to
6 (i) the executive head or body of the applicable bargaining unit, or
7 (ii) any person elected by popular vote, or (iii) any person appointed
8 to office pursuant to statute, ordinance or resolution for a specified
9 term of office as a member of a multimember board, commission, or
10 committee, whether appointed by the executive head or body of the
11 public employer, or (d) who is a court commissioner or a court
12 magistrate of superior court, district court, or a department of a
13 district court organized under chapter 3.46 RCW, or (e) who is a
14 personal assistant to a district court judge, superior court judge, or
15 court commissioner, or (f) excluded from a bargaining unit under RCW
16 41.56.201(2)(a). For the purpose of (e) of this subsection, no more
17 than one assistant for each judge or commissioner may be excluded from
18 a bargaining unit.

19 (3) "Bargaining representative" means any lawful organization which
20 has as one of its primary purposes the representation of employees in
21 their employment relations with employers.

22 (4) "Collective bargaining" means the performance of the mutual
23 obligations of the public employer and the exclusive bargaining
24 representative to meet at reasonable times, to confer and negotiate in
25 good faith, and to execute a written agreement with respect to
26 grievance procedures and collective negotiations on personnel matters,
27 including wages, hours and working conditions, which may be peculiar to
28 an appropriate bargaining unit of such public employer, except that by
29 such obligation neither party shall be compelled to agree to a proposal
30 or be required to make a concession unless otherwise provided in this
31 chapter.

32 (5) "Commission" means the public employment relations commission.

33 (6) "Executive director" means the executive director of the
34 commission.

35 (7) "Uniformed personnel" means: (a) Law enforcement officers as
36 defined in RCW 41.26.030 employed by the governing body of any city or
37 town with a population of two thousand five hundred or more and law
38 enforcement officers employed by the governing body of any county with

1 a population of ten thousand or more; (b) correctional employees who
2 are uniformed and nonuniformed, commissioned and noncommissioned
3 security personnel employed in a jail as defined in RCW 70.48.020(5) or
4 a detention facility as defined in RCW 13.40.020, by a county with a
5 population of seventy thousand or more, and who are trained for and
6 charged with the responsibility of controlling and maintaining custody
7 of inmates in the jail and safeguarding inmates from other inmates; (c)
8 general authority Washington peace officers as defined in RCW 10.93.020
9 employed by a port district in a county with a population of one
10 million or more; (d) security forces established under RCW 43.52.520;
11 (e) fire fighters as that term is defined in RCW 41.26.030; (f)
12 employees of a port district in a county with a population of one
13 million or more whose duties include crash fire rescue or other fire
14 fighting duties; (g) employees of fire departments of public employers
15 who dispatch exclusively either fire or emergency medical services, or
16 both; or (h) employees in the several classes of advanced life support
17 technicians, as defined in RCW 18.71.200, who are employed by a public
18 employer.

19 (8) "Institution of higher education" means the University of
20 Washington, Washington State University, Central Washington University,
21 Eastern Washington University, Western Washington University, The
22 Evergreen State College, and the various state community colleges.

23 (9) "Home care quality authority" means the authority under chapter
24 74.39A RCW.

25 (10) "Individual provider" means an individual provider as defined
26 in RCW 74.39A.240(4) who, solely for the purposes of collective
27 bargaining, is a public employee as provided in RCW 74.39A.270.

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