
HOUSE BILL 3029

State of Washington 59th Legislature 2006 Regular Session

By Representatives Linville and Cox

Read first time 01/18/2006. Referred to Committee on Appropriations.

1 AN ACT Relating to implementing the compensation and fringe benefit
2 provisions in the master collective bargaining agreement; and amending
3 RCW 41.80.010.

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

5 **Sec. 1.** RCW 41.80.010 and 2002 c 354 s 302 are each amended to
6 read as follows:

7 (1) For the purpose of negotiating collective bargaining agreements
8 under this chapter, the employer shall be represented by the governor
9 or governor's designee, except as provided for institutions of higher
10 education in subsection (4) of this section.

11 (2)(a) If an exclusive bargaining representative represents more
12 than one bargaining unit, the exclusive bargaining representative shall
13 negotiate with each employer representative as designated in subsection
14 (1) of this section one master collective bargaining agreement on
15 behalf of all the employees in bargaining units that the exclusive
16 bargaining representative represents. For those exclusive bargaining
17 representatives who represent fewer than a total of five hundred
18 employees each, negotiation shall be by a coalition of all those
19 exclusive bargaining representatives. The coalition shall bargain for

1 a master collective bargaining agreement covering all of the employees
2 represented by the coalition. The governor's designee and the
3 exclusive bargaining representative or representatives are authorized
4 to enter into supplemental bargaining of agency-specific issues for
5 inclusion in or as an addendum to the master collective bargaining
6 agreement, subject to the parties' agreement regarding the issues and
7 procedures for supplemental bargaining. This section does not prohibit
8 cooperation and coordination of bargaining between two or more
9 exclusive bargaining representatives.

10 (b) This subsection (2) does not apply to exclusive bargaining
11 representatives who represent employees of institutions of higher
12 education, except when the institution of higher education has elected
13 to exercise its option under subsection (4) of this section to have its
14 negotiations conducted by the governor or governor's designee under the
15 procedures provided for general government agencies in subsections (1)
16 through (3) of this section.

17 (c) If five hundred or more employees of an independent state
18 elected official listed in RCW 43.01.010 are organized in a bargaining
19 unit or bargaining units under RCW 41.80.070, the official shall be
20 consulted by the governor or the governor's designee before any
21 agreement is reached under (a) of this subsection concerning
22 supplemental bargaining of agency specific issues affecting the
23 employees in such bargaining unit.

24 (3)(a) The governor shall submit a request for funds necessary to
25 implement the compensation and fringe benefit provisions in the master
26 collective bargaining agreement or for legislation necessary to
27 implement the agreement. Except under (b) of this subsection, requests
28 for funds necessary to implement the provisions of bargaining
29 agreements shall not be submitted to the legislature by the governor
30 unless such requests:

31 ((+a)) (i) Have been submitted to the director of the office of
32 financial management by October 1 prior to the legislative session at
33 which the requests are to be considered; and

34 ((+b)) (ii) Have been certified by the director of the office of
35 financial management as being feasible financially for the state.

36 The legislature shall approve or reject the submission of the
37 request for funds as a whole. The legislature shall not consider a
38 request for funds to implement a collective bargaining agreement unless

1 the request is transmitted to the legislature as part of the governor's
2 budget document submitted under RCW 43.88.030 and 43.88.060. If the
3 legislature rejects or fails to act on the submission, either party may
4 reopen all or part of the agreement or the exclusive bargaining
5 representative may seek to implement the procedures provided for in RCW
6 41.80.090.

7 (b) The October 1 deadline under (a)(i) of this subsection is
8 suspended, however, if one or both of the parties to an agreement make
9 application before that date to the commission for appointment of a
10 mediator to assist in the resolution of differences that occur during
11 the negotiation of an agreement for compensation and fringe benefits,
12 or if the parties are engaged in the fact-finding process provided for
13 in RCW 41.80.090. An agreement that is reached prior to final action
14 on the biennial or supplemental state budget must be incorporated into
15 that budget for funding if it satisfies the provisions of (a)(ii) of
16 this subsection.

17 (4) For the purpose of negotiating agreements for institutions of
18 higher education, the employer shall be the respective governing board
19 of each of the universities, colleges, or community and technical
20 colleges or a designee chosen by the board to negotiate on its behalf.
21 A governing board may elect to have its negotiations conducted by the
22 governor or governor's designee under the procedures provided for
23 general government agencies in subsections (1), (2), and (3) of this
24 section. Prior to entering into negotiations under this chapter, the
25 institutions of higher education or their designees shall consult with
26 the director of the office of financial management regarding financial
27 and budgetary issues that are likely to arise in the impending
28 negotiations. If appropriations are necessary to implement the
29 compensation and fringe benefit provisions of the bargaining agreements
30 reached between institutions of higher education and exclusive
31 bargaining representatives agreed to under the provisions of this
32 chapter, the governor shall submit a request for such funds to the
33 legislature according to the provisions of subsection (3) of this
34 section.

35 (5) There is hereby created a joint committee on employment
36 relations, which consists of two members with leadership positions in
37 the house of representatives, representing each of the two largest
38 caucuses; the chair and ranking minority member of the house

1 appropriations committee, or its successor, representing each of the
2 two largest caucuses; two members with leadership positions in the
3 senate, representing each of the two largest caucuses; and the chair
4 and ranking minority member of the senate ways and means committee, or
5 its successor, representing each of the two largest caucuses. The
6 governor shall periodically consult with the committee regarding
7 appropriations necessary to implement the compensation and fringe
8 benefit provisions in the master collective bargaining agreements, and
9 upon completion of negotiations, advise the committee on the elements
10 of the agreements and on any legislation necessary to implement the
11 agreements.

12 (6) If, after the compensation and fringe benefit provisions of an
13 agreement are approved by the legislature, a significant revenue
14 shortfall occurs resulting in reduced appropriations, as declared by
15 proclamation of the governor or by resolution of the legislature, both
16 parties shall immediately enter into collective bargaining for a
17 mutually agreed upon modification of the agreement.

18 (7) After the expiration date of a collective bargaining agreement
19 negotiated under this chapter, all of the terms and conditions
20 specified in the collective bargaining agreement remain in effect until
21 the effective date of a subsequently negotiated agreement, not to
22 exceed one year from the expiration date stated in the agreement.
23 Thereafter, the employer may unilaterally implement according to law.

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