
ENGROSSED SUBSTITUTE SENATE BILL 6660

State of Washington

59th Legislature

2006 Regular Session

By Senate Committee on Labor, Commerce, Research & Development
(originally sponsored by Senator Spanel)

READ FIRST TIME 02/03/06.

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)~~) (5) 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))~~) (5) of this section to
14 have its negotiations conducted by the governor or governor's designee
15 under the procedures provided for general government agencies in
16 subsections (1) 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) 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 subsection (5)(b) of this
28 section, requests for funds necessary to implement the provisions of
29 bargaining agreements shall not be submitted to the legislature by the
30 governor unless such requests:

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

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

36 (4) 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 ~~((4))~~ (5)(a) For the purpose of negotiating agreements for
8 institutions of higher education, the employer shall be the respective
9 governing board of each of the universities, colleges, or community and
10 technical colleges or a designee chosen by the board to negotiate on
11 its behalf. A governing board may elect to have its negotiations
12 conducted by the governor or governor's designee under the procedures
13 provided for general government agencies in subsections (1), (2), and
14 (3) of this section. Prior to entering into negotiations under this
15 chapter, the institutions of higher education or their designees shall
16 consult with the director of the office of financial management
17 regarding financial and budgetary issues that are likely to arise in
18 the impending negotiations. If appropriations are necessary to
19 implement the compensation and fringe benefit provisions of the
20 bargaining agreements reached between institutions of higher education
21 and exclusive bargaining representatives agreed to under the provisions
22 of this chapter, the governor shall submit a request for such funds to
23 the legislature according to the provisions of subsection (3) of this
24 section.

25 ~~((5))~~ (b) The October 1st deadline under subsection (3)(a) of
26 this section is suspended, however, if one or both of the parties to an
27 agreement make application before that date to the commission for
28 appointment of a mediator to assist in the resolution of differences
29 that occur during the negotiation of an agreement for compensation and
30 fringe benefits, or if the parties are engaged in the fact-finding
31 process provided for in RCW 41.80.090. If the October 1st deadline is
32 suspended, a request for funds necessary to implement the compensation
33 and fringe benefit provisions in the master collective bargaining
34 agreement shall not be submitted by the governor to the legislature
35 unless:

36 (i) An agreement is reached by November 15th preceding the
37 legislative session at which the requests are to be considered on the

1 compensation and fringe benefit provisions in the master collective
2 bargaining agreement;

3 (ii) Such requests have been submitted to the director of financial
4 management; and

5 (iii) Such requests have been certified by the director of the
6 office of financial management as being feasible financially for the
7 state.

8 (6) There is hereby created a joint committee on employment
9 relations, which consists of two members with leadership positions in
10 the house of representatives, representing each of the two largest
11 caucuses; the chair and ranking minority member of the house
12 appropriations committee, or its successor, representing each of the
13 two largest caucuses; two members with leadership positions in the
14 senate, representing each of the two largest caucuses; and the chair
15 and ranking minority member of the senate ways and means committee, or
16 its successor, representing each of the two largest caucuses. The
17 governor shall periodically consult with the committee regarding
18 appropriations necessary to implement the compensation and fringe
19 benefit provisions in the master collective bargaining agreements, and
20 upon completion of negotiations, advise the committee on the elements
21 of the agreements and on any legislation necessary to implement the
22 agreements.

23 ~~((+6))~~ (7) If, after the compensation and fringe benefit
24 provisions of an agreement are approved by the legislature, a
25 significant revenue shortfall occurs resulting in reduced
26 appropriations, as declared by proclamation of the governor or by
27 resolution of the legislature, both parties shall immediately enter
28 into collective bargaining for a mutually agreed upon modification of
29 the agreement.

30 ~~((+7))~~ (8) After the expiration date of a collective bargaining
31 agreement negotiated under this chapter, all of the terms and
32 conditions specified in the collective bargaining agreement remain in
33 effect until the effective date of a subsequently negotiated agreement,
34 not to exceed one year from the expiration date stated in the
35 agreement. Thereafter, the employer may unilaterally implement
36 according to law.

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