
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)(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 (b) The October 1st deadline under (a)(i) of this subsection is
37 suspended, however, if one or both of the parties to an agreement make
38 application before that date to the commission for appointment of a

1 mediator to assist in the resolution of differences that occur during
2 the negotiation of an agreement for compensation and fringe benefits,
3 or if the parties are engaged in the fact-finding process provided for
4 in RCW 41.80.090. If the October 1st deadline is suspended, a request
5 for funds necessary to implement the compensation and fringe benefit
6 provisions in the master collective bargaining agreement shall not be
7 submitted by the governor to the legislature unless:

8 (i) An agreement is reached by January 1st preceding the
9 legislative session at which the requests are to be considered on the
10 compensation and fringe benefit provisions in the master collective
11 bargaining agreement;

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

14 (iii) Such requests have been certified by the director of the
15 office of financial management as being feasible financially for the
16 state.

17 (4) The legislature shall approve or reject the submission of the
18 request for funds as a whole. The legislature shall not consider a
19 request for funds to implement a collective bargaining agreement unless
20 the request is transmitted to the legislature as part of the governor's
21 budget document submitted under RCW 43.88.030 and 43.88.060. If the
22 legislature rejects or fails to act on the submission, either party may
23 reopen all or part of the agreement or the exclusive bargaining
24 representative may seek to implement the procedures provided for in RCW
25 41.80.090.

26 ~~((4))~~ (5) For the purpose of negotiating agreements for
27 institutions of higher education, the employer shall be the respective
28 governing board of each of the universities, colleges, or community and
29 technical colleges or a designee chosen by the board to negotiate on
30 its behalf. A governing board may elect to have its negotiations
31 conducted by the governor or governor's designee under the procedures
32 provided for general government agencies in subsections (1), (2), and
33 (3) of this section. Prior to entering into negotiations under this
34 chapter, the institutions of higher education or their designees shall
35 consult with the director of the office of financial management
36 regarding financial and budgetary issues that are likely to arise in
37 the impending negotiations. If appropriations are necessary to
38 implement the compensation and fringe benefit provisions of the

1 bargaining agreements reached between institutions of higher education
2 and exclusive bargaining representatives agreed to under the provisions
3 of this chapter, the governor shall submit a request for such funds to
4 the legislature according to the provisions of subsection (3) of this
5 section.

6 ~~((+5))~~ (6) There is hereby created a joint committee on employment
7 relations, which consists of two members with leadership positions in
8 the house of representatives, representing each of the two largest
9 caucuses; the chair and ranking minority member of the house
10 appropriations committee, or its successor, representing each of the
11 two largest caucuses; two members with leadership positions in the
12 senate, representing each of the two largest caucuses; and the chair
13 and ranking minority member of the senate ways and means committee, or
14 its successor, representing each of the two largest caucuses. The
15 governor shall periodically consult with the committee regarding
16 appropriations necessary to implement the compensation and fringe
17 benefit provisions in the master collective bargaining agreements, and
18 upon completion of negotiations, advise the committee on the elements
19 of the agreements and on any legislation necessary to implement the
20 agreements.

21 ~~((+6))~~ (7) If, after the compensation and fringe benefit
22 provisions of an agreement are approved by the legislature, a
23 significant revenue shortfall occurs resulting in reduced
24 appropriations, as declared by proclamation of the governor or by
25 resolution of the legislature, both parties shall immediately enter
26 into collective bargaining for a mutually agreed upon modification of
27 the agreement.

28 ~~((+7))~~ (8) After the expiration date of a collective bargaining
29 agreement negotiated under this chapter, all of the terms and
30 conditions specified in the collective bargaining agreement remain in
31 effect until the effective date of a subsequently negotiated agreement,
32 not to exceed one year from the expiration date stated in the
33 agreement. Thereafter, the employer may unilaterally implement
34 according to law.

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