

SHB 2963 - S COMM AMD

By Committee on Labor, Commerce, Research & Development

ADOPTED 03/04/2008

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** (1) The legislature acknowledges the
4 ability of student employees who provide instructional, research, and
5 related academic services at the University of Washington to
6 collectively bargain and recognizes that student employees performing
7 equivalent services at Washington State University do not enjoy
8 collective bargaining rights. The legislature further recognizes that
9 while the titles of the student employees may differ between the two
10 institutions, student employees at Washington State University should
11 enjoy the same collective bargaining rights as their counterparts at
12 the University of Washington. The legislature therefore intends to
13 grant bargaining rights to student employees at Washington State
14 University to the same extent such rights are granted to student
15 employees at the University of Washington.

16 (2) This act is intended to promote cooperative labor relations
17 between Washington State University and the employees who provide
18 instructional, research, and related academic services, and who are
19 enrolled as students at the university by extending collective
20 bargaining rights under chapter 41.56 RCW and using the orderly
21 procedures administered by the public employment relations commission.
22 To achieve this end, the legislature intends that under chapter 41.56
23 RCW the university will exclusively bargain in good faith over all
24 matters within the scope of bargaining under section 2 of this act.

25 (3) The legislature recognizes the importance of the shared
26 governance practices developed at Washington State University. The
27 legislature does not intend to restrict, limit, or prohibit the
28 exercise of the functions of the faculty in any shared governance
29 mechanisms or practices, including the faculty senate, faculty
30 councils, and faculty codes of Washington State University; nor does

1 the legislature intend to restrict, limit, or prohibit the exercise of
2 the functions of the graduate and professional student association, the
3 associated students of Washington State University, or any other
4 student organization in matters outside the scope of bargaining covered
5 by chapter 41.56 RCW.

6 (4) The legislature intends that nothing in this act will restrict,
7 limit, or prohibit Washington State University from consideration of
8 the merits, necessity, or organization of any program, activity, or
9 service established by Washington State University, including, but not
10 limited to, any decision to establish, modify, or discontinue any such
11 program, activity, or service. The legislature further intends that
12 nothing in this act will restrict, limit, or prohibit Washington State
13 University from having sole discretion over admission requirements for
14 students, criterion for the award of certificates and degrees to
15 students, academic criterion for selection of employees covered by this
16 act, initial appointment of students, and the content, conduct, and
17 supervision of courses, curricula, grading requirements, and research
18 programs.

19 (5) The legislature does not intend to limit the matters excluded
20 from collective bargaining to those items specified in section 2 of
21 this act.

22 NEW SECTION. **Sec. 2.** A new section is added to chapter 41.56 RCW
23 to read as follows:

24 (1) In addition to the entities listed in RCW 41.56.020, this
25 chapter applies to Washington State University with respect to
26 employees who are enrolled in an academic program and are in a
27 classification in (a) through (g) of this subsection on any Washington
28 State University campus. The employees in (a) through (g) of this
29 subsection constitute an appropriate bargaining unit:

- 30 (a) Graduate teaching assistant;
- 31 (b) Graduate staff assistant;
- 32 (c) Graduate project assistant;
- 33 (d) Graduate veterinary assistant;
- 34 (e) Tutor, reader, and graders in all academic units and tutoring
35 centers;

36 (f) Except as provided in this subsection (1)(f), graduate research
37 assistant. The employees that constitute an appropriate bargaining

1 unit under this subsection (1) do not include graduate research
2 assistants who are performing research primarily related to their
3 dissertation and who have incidental or no service expectations placed
4 upon them by the university; and

5 (g) All employees enrolled in an academic program whose duties and
6 responsibilities are substantially equivalent to those employees in (a)
7 through (f) of this subsection.

8 (2)(a) The scope of bargaining for employees at Washington State
9 University under this section excludes:

10 (i) The ability to terminate the employment of any individual if
11 the individual is not meeting academic requirements as determined by
12 Washington State University;

13 (ii) The amount of tuition or fees at Washington State University.
14 However, tuition and fee remission and waiver is within the scope of
15 bargaining;

16 (iii) The academic calendar of Washington State University; and

17 (iv) The number of students to be admitted to a particular class or
18 class section at Washington State University.

19 (b)(i) Except as provided in (b)(ii) of this subsection, provisions
20 of collective bargaining agreements relating to compensation must not
21 exceed the amount or percentage established by the legislature in the
22 appropriations act. If any compensation provision is affected by
23 subsequent modification of the appropriations act by the legislature,
24 both parties must immediately enter into collective bargaining for the
25 sole purpose of arriving at a mutually agreed upon replacement for the
26 affected provision.

27 (ii) Washington State University may provide additional
28 compensation to student employees covered by this section that exceeds
29 that provided by the legislature.

30 NEW SECTION. **Sec. 3.** If specific funding for the purposes of this
31 act, referencing this act by bill or chapter number, is not provided by
32 June 30, 2008, in the omnibus appropriations act, this act is null and
33 void."

SHB 2963 - S COMM AMD

By Committee on Labor, Commerce, Research & Development

ADOPTED 03/04/2008

1 On page 1, line 2 of the title, after "programs;" strike the
2 remainder of the title and insert "adding a new section to chapter
3 41.56 RCW; and creating new sections."

--- END ---