

HOUSE BILL REPORT

HB 1693

As Reported by House Committee On:
Commerce & Labor

Title: An act relating to time periods for collective bargaining by state ferry employees.

Brief Description: Modifying time periods for collective bargaining by state ferry employees.

Sponsors: Representatives Appleton, Flannigan and Rodne; by request of Department of Transportation.

Brief History:

Committee Activity:

Commerce & Labor: 2/13/07, 2/16/07 [DPS].

Brief Summary of Substitute Bill

- Changes time frames for ferry collective bargaining.
- Provides procedure for selection of interest arbitrator before bargaining.

HOUSE COMMITTEE ON COMMERCE & LABOR

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 7 members: Representatives Conway, Chair; Wood, Vice Chair; Condotta, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Green, Moeller and Williams.

Staff: Joan Elgee (786-7106).

Background:

In 2006, the Legislature made a number of changes to the collective bargaining law that applies to ferry workers. The employer, for purposes of bargaining with the collective bargaining representative of the ferry workers, is the State of Washington. The employer is represented by the Governor or Governor's designee.

Specific time frames are set for the steps in the negotiations. Negotiations commence about September 1 of each odd-numbered year and conclude by September 1 of the even-numbered

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

years. If negotiations are not concluded by April 1, the parties are considered at impasse and may request the Marine Employees' Commission to appoint a mediator. If an agreement has not been reached by April 15, all impasse items must be submitted to arbitration.

The parties may agree to different time periods so long as a final resolution is reached by September 1.

Summary of Substitute Bill:

Time periods for collective bargaining by state ferry employees are changed. The date to begin negotiations is changed from September in odd-numbered years to any time after February 1 in even-numbered years and agreements must be concluded by October 1 of even-numbered years. Intermediate dates within these time frames are also changed. The April 1 date for request of a mediator is changed to August 1. The April 15 date by which impasse items must be submitted to arbitration is removed.

A procedure is provided for selection of an interest arbitrator before bargaining. If the parties cannot agree on an arbitrator within 10 days after the first Monday in September of odd-numbered years, either party may request a list of seven arbitrators from the federal mediation and conciliation service and the parties shall select an interest arbitrator using the coin toss/alternate strike method. The parties must then reserve dates for potential arbitration and prepare a schedule of at least five negotiation dates and execute a written agreement. The parties must comply with the interest arbitration agreement regardless of the status of any mediation.

For interim bargaining, the parties must agree to the use of the American Arbitration Association for selection of a neutral chair.

Substitute Bill Compared to Original Bill:

The substitute bill adds the procedure and time frames for selection of an interest arbitrator. In addition, the substitute specifies that the parties must agree to use the American Arbitration Association for selection of a neutral chair, and restores current law regarding modifying time periods by mutual agreement.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony:

(In support) This bill brings the time periods in line with other state employee collective bargaining. The current timelines make it difficult for the budget process. We agree with modifying the bill to add a process for choosing arbitrators before the process starts.

(Opposed) None.

Persons Testifying: Representative Appleton, prime sponsor; Steve McLain, Washington State Labor Relations Office; and Gordon Baxter, Inlandboatman's Union, Masters Mates & Pilots Union, Office & Professional Employees International Union Local 8, and Puget Sound Metal Trades Council.

Persons Signed In To Testify But Not Testifying: None.