
Commerce & Labor Committee

HB 1913

Brief Description: Certifying an employee organization for the purposes of state collective bargaining.

Sponsors: Representatives Conway, Hunt, Appleton, Moeller, Green and Ormsby.

Brief Summary of Bill

- Authorizes a cross-check if an application for certification of an organization as an exclusive bargaining representative is submitted along with a majority showing of interest.
- Provides for certification of an organization as the exclusive bargaining representative if there are valid cards for a majority of the employees in the unit.

Hearing Date: 2/13/07

Staff: Jill Reinmuth (786-7134).

Background:

Various collective bargaining laws govern the manner in which the Public Employees' Relations Commission (Commission) determines the exclusive bargaining representative of a bargaining unit of public employees. Several laws authorize the Commission to conduct either an election or a cross-check of organization membership records or bargaining authorization cards with employment records. These laws include the Public Employees' Collective Bargaining Act, the Personnel System Reform Act, and the state law governing collective bargaining for faculty at public four-year institutions of higher education.

Rules adopted by the Commission specify the manner in which cross-checks are conducted. If an application for certification of an organization as an exclusive bargaining representative is submitted to the Commission, along with a 70 percent showing of interest, a cross-check may be conducted. First, the organization provides the Commission with authorization cards signed and dated by employees in the bargaining unit. Next, the employer provides the Commission with

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employment records containing the names and signatures of employees in the bargaining unit. Finally, the Commission compares the records furnished by the parties, and then gives the parties a tally sheet containing the number of employees in the bargaining unit, the number of records examined, and the number of employee records counted as valid evidence of representation. If there are valid cards for a majority of the employees in the bargaining unit, the Commission certifies the organization as the exclusive bargaining representative.

Summary of Bill:

The manner in which cross-checks are conducted under the Public Employees' Collective Bargaining Act, the Personnel Service Reform Act, and the state law governing collective bargaining for faculty at public four-year institutions of higher education is modified. A cross-check may be conducted if the application for certification of an organization as an exclusive bargaining representative is submitted along with a majority (more than 50 percent) showing of interest. An organization is certified as the exclusive bargaining representative of the bargaining unit if there are valid cards for a majority (more than 50 percent) of the employees in the bargaining unit.

Rules Authority: The bill does not address the rule-making powers of an agency.

Appropriation: None.

Fiscal Note: Requested on February 8, 2007.

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