
Commerce & Labor Committee

HB 2326

Brief Description: Protecting the integrity of collective bargaining for public sector employees.

Sponsors: Representatives Williams, Conway, Hunt, Kirby, Green, Sells, Hasegawa, Campbell, Appleton, Wood, Goodman and Ormsby.

Brief Summary of Bill

- Creates a public disclosure exemption for records from any public employee collective bargaining, labor negotiations, or grievance or mediation, that would reveal strategies or positions taken by any employer or labor organization during the pendency of those proceedings.

Hearing Date: 2/26/07

Staff: Joan Elgee (786-7106).

Background:

With some exceptions, public employees may collectively bargain over wages and other terms and conditions of employment. The Labor Relations Office within the Office of Financial Management negotiates on behalf of the Governor with union-represented employees. Higher education institutions have the option to negotiate labor agreements through their own governing boards, or they may ask the Governor's Office to negotiate on their behalf. The Labor Relations Office also negotiates individual home care workers (individual providers) and family child care provider agreements.

The Public Employment Relations Commission (Commission) is responsible for resolving disputes involving most public employers and employees, and the unions that represent those employees. Responsibilities of the Commission include mediation of disputes in negotiations of collective bargaining agreements, and resolution of grievances involving the interpretation of agreements. The Marine Employees' Relation Commission has similar responsibilities with respect to ferry workers.

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.

The Public Records Act requires state and local government agencies to make all public records available for public inspection and copying unless they fall within certain statutory exemptions. There is an exemption for preliminary drafts, notes, and recommendations.

The Office of Financial Management received a public records request for bargaining notes and proposals made during negotiations of 2007-09 collective bargaining agreements. Some unions have sought an injunction to prohibit the release of the records.

Summary of Bill:

Records from any public employee collective bargaining, labor negotiations, or grievance or mediation, that would reveal strategies or positions taken by any employer or labor organization during the pendency of those proceedings are exempt from public disclosure.

Any rights afforded to any employer or labor organization under existing collective bargaining statutes or ordinances are not disturbed.

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

Appropriation: None.

Fiscal Note: Requested on February 26, 2007.

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