

FINAL BILL REPORT

SHB 2361

C 136 L 07

Synopsis as Enacted

Brief Description: Regarding collective bargaining for certain employees of institutions of higher education and related boards.

Sponsors: By House Committee on Commerce & Labor (originally sponsored by Representative Conway).

House Committee on Commerce & Labor

Senate Committee on Labor, Commerce, Research & Development

Senate Committee on Ways & Means

Background:

Employees of institutions of higher education may be covered for purposes of collective bargaining under the Personnel System Reform Act (PSRA), the Public Employees' Collective Bargaining Act (PECBA), or laws applicable to faculty and academic personnel.

The PSRA applies to employees of institutions of higher education who are covered for purposes of civil service. Employees who are exempt from civil service, and therefore, from collective bargaining, are: members of the governing board, presidents, vice-presidents, and their confidential secretaries, administrative, and personal assistants; deans, directors, and chairs; executive heads of major divisions and their principal assistants; and certain other managerial or professional employees. Other employees who are exempt from collective bargaining are: confidential employees; Washington Management Service members; and internal auditors. Classifications that may be made exempt from civil service by an institution's governing board, and therefore, from collective bargaining, are those involving: research activities; counseling of students; extension or continuing education activities; and graphic arts or publications activities.

The PECBA applies to the University of Washington with respect to printing craft employees in the University of Washington's Department of Printing and certain teaching assistants and research assistants, and to certain classified employees of technical colleges.

Other collective bargaining laws apply to public four-year institutions with respect to faculty members, and to community colleges with respect to academic personnel.

Summary:

The PECBA is made applicable to employees of institutions of higher education who are exempt from civil service under the Personnel System Reform Act (PSRA), with the following exceptions:

- executive employees and their principal assistants;
- certain managers;
- confidential employees; and
- certain employees involved in personnel or labor relations matters or tort actions.

The parties are prohibited from agreeing to a proposal that would prevent the implementation of approved affirmative action plans or would be inconsistent with the comparable worth agreement.

The parties are prohibited from bargaining over management rights. These rights include, but are not limited to, the following:

- the institution's functions and programs;
- the use of technology;
- the organization's structure;
- the institution's budget;
- the size of the institution's workforce;
- the right to direct and supervise employees;
- the right to take necessary actions during emergencies;
- retirement plans and retirement benefits; and
- health care benefits and other employee insurance benefits, except as provided under the PSRA.

Votes on Final Passage:

House	75	22
Senate	38	10

Effective: July 22, 2007