
Commerce & Labor Committee

HB 2361

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

Sponsors: Representative Conway.

Brief Summary of Bill

- Makes the Public Employees' Collective Bargaining Act applicable to certain employees of institutions of higher education who are exempted from civil service under the Personnel System Reform Act.

Hearing Date: 2/26/07

Staff: Jill Reinmuth (786-7134).

Background:

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

The Personnel System Reform Act (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 which 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.

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 Employees' Collective Bargaining Act 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 community colleges with respect to academic personnel.

Summary of Bill:

The Public Employees Collective Bargaining Act is made applicable to employees of institutions of higher education who are exempt from civil service under the Personnel System Reform Act, with the following exceptions:

- executive employees and their principal assistants;
- certain managers and their principal assistants;
- 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;
- health care benefits and other employee insurance benefits, except as provided under the Personnel System Reform Act.

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.