

# SENATE BILL REPORT

## SB 6737

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As Reported By Senate Committee On:  
Labor, Commerce, Research & Development, February 07, 2008  
Ways & Means, February 12, 2008

**Title:** An act relating to collective bargaining for Washington State University employees who are enrolled in academic programs.

**Brief Description:** Authorizing collective bargaining for Washington State University employees who are enrolled in academic programs.

**Sponsors:** Senators Kohl-Welles, Kline, Prentice, Keiser, Shin, Hobbs, Murray, Pridemore, McDermott and Hatfield.

**Brief History:**

**Committee Activity:** Labor, Commerce, Research & Development: 1/31/08, 2/7/08 [DPS-WM, DNP].

Ways & Means: 2/11/08, 2/12/08 [DPS(LCRD), DNP, w/oRec].

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### SENATE COMMITTEE ON LABOR, COMMERCE, RESEARCH & DEVELOPMENT

**Majority Report:** That Substitute Senate Bill No. 6737 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Kohl-Welles, Chair; Keiser, Vice Chair; Franklin, Murray and Prentice.

**Minority Report:** Do not pass.

Signed by Senators Holmquist, Ranking Minority Member; Hewitt and King.

**Staff:** Mac Nicholson (786-7445)

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### SENATE COMMITTEE ON WAYS & MEANS

**Majority Report:** That Substitute Senate Bill No. 6737 as recommended by Committee on Labor, Commerce, Research & Development be substituted therefor, and the substitute bill do pass.

Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Pridemore, Vice Chair, Operating Budget; Hatfield, Hobbs, Keiser, Kohl-Welles, Oemig, Rasmussen, Roach, Rockefeller and Tom.

**Minority Report:** Do not pass.

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*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.*

Signed by Senators Hewitt and Honeyford.

**Minority Report:** That it be referred without recommendation.

Signed by Senators Zarelli, Ranking Minority Member; Brandland, Carrell, Parlette and Schoesler.

**Staff:** Tim Yowell (786-7435)

**Background:** Employees enrolled in academic programs at Washington State University (WSU), like other students, are exempt from the state civil service law. As a result, they do not have a right to engage in collective bargaining under the state civil service collective bargaining law. They also are not granted a right to engage in collective bargaining under the public employees' collective bargaining law. Legislation enacted in 2002 granted that right to certain student employees including teaching assistants and research assistants at the University of Washington.

**Summary of Bill (Recommended Substitute):** Employees who are enrolled in an academic program at any WSU campus constitute a bargaining unit. Topics not subject to collective bargaining include WSU's ability to terminate or discipline students for not meeting academic requirements, or for research or other misconduct; the academic calendar; the number of students to be admitted to a class or class section; and the amount of tuition and fees.

Employees covered by the legislation are teaching, staff, project, and veterinary assistants; tutors, readers, and graders in all academic units and tutoring centers; research assistants not performing research primarily related to their thesis, course work, or dissertation; and undergraduates performing work traditionally and historically performed by a graduate or professional student.

Provisions of collective bargaining agreements relating to compensation must not exceed the amount or percentage established by the Legislature; however, WSU may provide additional compensation to student employees that exceeds what is provided by the Legislature. If any compensation provision is affected by subsequent modification by the Legislature, both parties must immediately enter into collective bargaining for the sole purpose of arriving at a mutually agreed upon replacement for the affected provision.

**EFFECT OF CHANGES MADE BY LABOR, COMMERCE, RESEARCH & DEVELOPMENT COMMITTEE (Recommended Substitute):** The emergency clause is removed. Language regarding undergraduates being included in the bargaining unit is changed so that they are included only if performing work traditionally and historically performed by graduate or professional students. WSU's ability to discipline student employees for research or other misconduct, or for failing to meet academic requirements, is added to the list of topics not subject to collective bargaining. Research assistants performing research primarily related to their thesis or course work are also excluded from the bargaining unit.

**Appropriation:** None.

**Fiscal Note:** Available.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony on Original Bill (Labor, Commerce, Research & Development):** PRO: The bill extends the same bargaining rights to WSU teaching and research assistants that are currently enjoyed by UW teaching and research assistants. WSU student employees do the same work as UW student employees, and they should have the same bargaining rights.

CON: Students aren't informed enough about what's happening and more time should be given to address concerns that have arisen.

OTHER: The language should be changed to reflect that WSU is a different institution than UW. While the language for UW students was negotiated with UW, WSU has not had any input into developing the legislation before the committee.

**Persons Testifying (Labor, Commerce, Research & Development):** PRO: Taj Mahon-Taft, ASECC/UAW; Nicholas Lovrich, WSU Faculty Senate; Ken Lang, UAW

CON: Chris Reigelsperger, ASWSU.

OTHER: Larry Ganders, WSU; Ken Latsch, PERC.

**Staff Summary of Public Testimony on Recommended Substitute (Ways & Means):**

PRO: The United Auto Workers supports moving the bill forward, but prefers the original version, which applies exactly the same language to WSU students as was enacted for UW students in 2002.

OTHER: Washington State University supports the right of graduate assistants to collectively bargain, and appreciates the substitute language adopted by the policy committee. It does not make sense to extend collective bargaining rights to undergraduates.

**Persons Testifying (Ways & Means):** PRO: Ken Lang, United Auto Workers.

OTHER: Larry Ganders, WSU President's Office; Nicholas Lovrich, WSU Faculty Senate.