

FINAL BILL REPORT

SHB 1127

C 222 L 11
Synopsis as Enacted

Brief Description: Addressing bargaining with certified exclusive bargaining representatives.

Sponsors: House Committee on Labor & Workforce Development (originally sponsored by Representatives Moeller and Sells).

House Committee on Labor & Workforce Development
Senate Committee on Labor, Commerce & Consumer Protection

Background:

Under the Public Employees' Collective Bargaining Act (Act), local government and certain other public employees have the right to organize and designate collective bargaining representatives. In the event that a covered employer and a bargaining representative disagree as to the selection of a bargaining representative, the Public Employment Relations Commission (Commission) must be invited to intervene. State law and Commission rules designate procedures for the Commission's intervention. The Commission may conduct an election to ascertain the exclusive bargaining representative. If a prospective bargaining representative shows written proof of at least 30 percent representation of the employees within the unit, the Commission must hold an election.

In each application for certification as an exclusive bargaining representative the Commission must decide the appropriate unit for collective bargaining. In determining, modifying, or combining a bargaining unit, the Commission is required to consider: the duties, skills, and working conditions of the employees; the history of collective bargaining by the employees and their bargaining representatives; the extent of organization among the employees; and the desire of the employees.

Unfair labor practices for covered employers and bargaining representatives are enumerated in the Act. The Commission is directed to prevent unfair labor practices and issue appropriate remedial orders. It is an unfair labor practice for a covered employer to:

- interfere with, restrain, or coerce public employees in the exercise of their rights;
- control, dominate, or interfere with a bargaining representative;
- discriminate against a public employee who has filed an unfair labor practice charge;
- or
- refuse to engage in collective bargaining.

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.

Summary:

In the event that a covered employer and a bargaining representative disagree as to the merger of two or more bargaining units in the employer's workforce that are represented by the same bargaining representative, the Commission must be invited to intervene.

It is an unfair labor practice for a covered employer to refuse to bargain with the certified exclusive bargaining representative.

Votes on Final Passage:

House	93	2	
Senate	47	0	(Senate amended)
House	93	2	(House concurred)

Effective: July 22, 2011