

SENATE BILL REPORT

SHB 1127

As of March 18, 2011

Title: An act relating to certified exclusive bargaining representatives.

Brief Description: Addressing bargaining with certified exclusive bargaining representatives.

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

Brief History: Passed House: 2/23/11, 93-2.

Committee Activity: Labor, Commerce & Consumer Protection: 3/21/11.

SENATE COMMITTEE ON LABOR, COMMERCE & CONSUMER PROTECTION

Staff: Ingrid Mungia (786-7423)

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. The Public Employment Relations Commission (Commission) decides the unit appropriate for the purpose of 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 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 public 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.

Summary of Bill: Bargaining units must be consolidated when the employer and the representative units agree to the consolidation. The employer and the bargaining representative must also consider the same statutory factors that the Commission considers when the Commission determines whether a bargaining unit is appropriate.

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.

It is an unfair labor practice for a public employer to refuse to bargain with the bargaining representative, or to attempt to bargain with anyone not authorized to bargain by the bargaining representative.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

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