

SENATE BILL REPORT

SHB 1516

As Reported by Senate Committee On:
Transportation, March 31, 2011

Title: An act relating to improving and measuring performance of the management of the state ferry system.

Brief Description: Concerning the performance of state ferry system management.

Sponsors: House Committee on Transportation (originally sponsored by Representatives Morris, Armstrong, Rolfes, Clibborn, Fitzgibbon, Liias, Maxwell, Appleton, Sells, Eddy and Smith).

Brief History: Passed House: 3/03/11, 91-7.

Committee Activity: Transportation: 3/31/11 [DPA, w/oRec].

SENATE COMMITTEE ON TRANSPORTATION

Majority Report: Do pass as amended.

Signed by Senators Haugen, Chair; King, Ranking Minority Member; Fain, Assistant Ranking Minority Member; Delvin, Eide, Hill, Hobbs, Litzow, Prentice, Sheldon, Shin and Swecker.

Minority Report: That it be referred without recommendation.

Signed by Senators Nelson and Ranker.

Staff: Janice Baumgardt (786-7319)

Background: The Legislature has directed the Washington State Ferry system (WSF) to adopt adaptive management practices in its operating and capital programs in order to keep costs as low as possible, maximize utilization of existing assets, and continuously improve the quality and timeliness of service.

Bargainable issues for WSF unions include hours, wages, benefits, and working conditions.

The Marine Employees Commission (MEC) is the agency that processes grievances for WSF unions and provides arbitration services. In grievance arbitration, the employee organization determines whether the issue will be resolved through arbitration.

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 of Bill: The bill as referred to committee not considered.

Summary of Bill (Recommended Amendments): Issues that may be bargained by WSF unions are defined as hours, wages, benefits, shift bidding, scheduling leave time, and grievance procedures. The rights of management are defined and cannot be bargained.

Captains, Deck Officers, Chief Engineers, and Terminal Supervisors are part of management.

WSF management must meet twice yearly with union employees and encourage an open and direct exchange of ideas and concerns between line employees and WSF management.

Performance measures are defined, and WSF is directed to develop, by September 30, 2011, targets to be attained for these measures by June 30, 2013. The Joint Legislative Audit and Review Committee will audit and determine whether the targets are met. If the targets are not met, the Governor, with consensus from the chairs and ranking minorities of the transportation committees of the Legislature, is to appoint a Governor's Management Representative who is to develop a 12-month corrective action plan within 60 days.

All functions of the MEC are transferred to the Public Employment Relations Committee and MEC is abolished. Both the employee organization and the employer must agree to have an issue resolved through arbitration.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: The bill contains an emergency clause and takes effect immediately.

Staff Summary of Public Testimony: PRO: The inability of WSF to use part-time shifts and other collective bargaining provisions makes it difficult for operations to be efficient. The system is not sustainable as it is and designating the captains, chief engineers, and terminal supervisors to management will bring WSF into line with the industry, the military, and merchant marine practices and will make for a cohesive and integrated management team at WSF. The performance criteria is important because it will determine where managers place their emphasis. Moving MEC functions to PERC is an important cost savings measure.

CON: We can accomplish some of the goals for making a more efficient system without moving captains and chief engineers into management. Safety should continue to be the focus.

Persons Testifying: PRO: David Hoogerwerf, FAC Executive Council; Walt Elliot FAC.

CON: Tim Saffle, Masters, Mates & Pilots; Jeff Duncan, Marine Engineers Beneficial Assn.