

# SENATE BILL REPORT

## SB 5405

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As of March 3, 2011

**Title:** An act relating to promoting efficiency in the Washington state ferry system through personnel and administration reforms.

**Brief Description:** Promoting efficiency in the Washington state ferry system through personnel and administration reforms.

**Sponsors:** Senators Haugen, King, Sheldon, Fain, Hargrove, Becker, Prentice, Shin and Tom.

**Brief History:**

**Committee Activity:** Transportation: 2/01/11.

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### SENATE COMMITTEE ON TRANSPORTATION

**Staff:** Janice Baumgardt (786-7319)

**Background:** Bargainable issues for Washington State Ferries (WSF) unions include hours, wages, benefits, and working conditions. If the employer and employee organization do not come to agreement when bargaining, they have the option to use mediation services. Ultimately the issues in disagreement are subject to interest arbitration. Captains, Chief Officers, and Chief Engineers belong to a union. Union employees are entitled to interest on retroactive pay.

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

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

**Summary of Bill (Proposed Substitute):** Issues that may be bargained by WSF unions are defined as hours, wages, benefits, shift bidding, scheduling leave time, and grievance procedures. Collective bargaining agreements are prohibited from containing certain provisions and the rights of management cannot be bargained. Captains, Chief Officers, and Chief Engineers are part of management and may not belong to a union. Interest on retroactive pay is eliminated. Interest arbitration is eliminated, as is the option to waive mediation.

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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.*

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

**Appropriation:** None.

**Fiscal Note:** Available.

[OFM requested ten-year cost projection pursuant to I-960.]

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

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

**Staff Summary of Public Testimony:** PRO: This bill is needed to save the ferry system as it has become unaffordable. It will hold labor accountable and is essential before new revenue can be raised.

CON: This bill takes away fundamental workplace rights. None of the previous studies have included input from the unions. Union employees are highly skilled and hard to find in the workforce and deserve to be paid for the skills and safety they bring. The MEC was promised to the unions. Taking the captains out of the unions will take away the protections they have. The apprenticeship utilization requirements are important because the number of skilled craftsmen is going down.

**Persons Testifying:** PRO: Walt Elliott, Ferry Advisory Committee.

CON: Rebecca Johns, Washington State Labor Council; Terri Mast, Alan Cote, Patti Snyder, Peter Hart, Inland Boatman's Union; Jeff Duncan, Bruce Cooper, Alex Zecha, Marine Engineers Beneficial Association; Tim Saffle, Mike Schilling, Masters, Mates, and Pilots; Robert Scott, Puget Sound Metal Trades Council; Marty Yellam, Michael Garling, Puget Sound Metal Trades.