

SENATE BILL REPORT

SB 6486

As Reported by Senate Committee On:
Labor, Commerce & Consumer Protection, February 2, 2012

Title: An act relating to collective bargaining for postdoctoral researchers at certain state universities.

Brief Description: Granting collective bargaining for postdoctoral researchers at certain state universities.

Sponsors: Senators Kohl-Welles, Conway, Chase, Keiser, Harper, Prentice, Nelson, Pridemore, Kline, Murray and Frockt.

Brief History:

Committee Activity: Labor, Commerce & Consumer Protection: 1/31/12, 2/02/12 [DP-WM, DNP].

SENATE COMMITTEE ON LABOR, COMMERCE & CONSUMER PROTECTION

Majority Report: Do pass and be referred to Committee on Ways & Means.
Signed by Senators Kohl-Welles, Chair; Conway, Vice Chair; Keiser and Kline.

Minority Report: Do not pass.
Signed by Senators Holmquist Newbry, Ranking Minority Member; King, Assistant Ranking Minority Member; Hewitt.

Staff: Ingrid Mungia (786-7423)

Background: Certain employees of institutions of higher education are covered for purposes of collective bargaining under the Public Employees' Collective Bargaining Act (PECBA), the Personnel System Reform Act (PSRA), or laws applicable to faculty members and academic personnel.

PECBA applies to the following employees of institutions of higher education:

- certain employees of institutions of higher education who are exempt from civil service;
- certain teaching assistants and research assistants at the University of Washington (UW) and Washington State University (WSU);
- printing craft employees in UW's Department of Printing; and

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- certain classified employees of technical colleges.

PSRA applies to employees of institutions of higher education covered under the state civil service law.

Other collective bargaining laws apply to public four-year institutions with respect to faculty members, and to community colleges with respect to academic personnel.

Summary of Bill: PECBA applies to UW and WSU with respect to certain postdoctoral researchers.

For postdoctoral researchers at the UW, the members of an appropriate bargaining unit are research associates and research associate trainees, senior fellows and senior fellow trainees, and employees with substantially equivalent duties and responsibilities.

For postdoctoral researchers at WSU, the members of an appropriate bargaining unit are postdoctoral research associates, and employees with substantially equivalent duties and responsibilities.

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: PRO: This bill fixes an inequity. While graduate teaching and research assistants and faculty have statutory collective bargaining right, but post docs do not. This statutory gap creates a situation where individuals lose a right to collective bargain upon earning their PhD. They want the right to choose to form a union as post docs. Post docs are highly skilled researchers and a critical part of the work force bringing in \$2 billion to the state through research and grants. Washington collective bargaining statutes only mentions post docs when they are excluded from collective bargaining. Post docs should be able to bargain together over common issues. Post docs do innovative research that brings nearly \$2 million dollars to UW each year. We work on AIDS research and cancer research. Having a collective bargaining agreement gave me a sense of security and protection and a level of respect among other colleagues at the university. This allows me and my colleagues to focus on research work that allows the university to be a world renowned institution. Collective Bargaining is a fair system and we should be able to choose to bargain as a group.

OTHER: UW is neutral on the right to organize for our employees. There is some discrepancies on the job classifications in the bill. The research associate and research associate trainee are faculty positions and subject to employment provisions of faculty code currently which means they have the right to bargain under RCW 41.76. That distinction needs to be made in the bill. WSU has no position on the bill. There is only one job classification this bill effects at WSU. The bill refers to any workers on any WSU campus

and we would like to suggest more simple language to reflect the university operates extension centers and research stations where there may be effected workers.

Persons Testifying: PRO: David Parsons, UAW Local 4121; Ariaah Kidder, UW.

OTHER: Margaret Shepherd, UW; Chris Mulik, WSU.