
SUBSTITUTE HOUSE BILL 1127

State of Washington 62nd Legislature 2011 Regular Session

By House Labor & Workforce Development (originally sponsored by Representatives Moeller and Sells)

READ FIRST TIME 02/07/11.

1 AN ACT Relating to certified exclusive bargaining representatives;
2 and amending RCW 41.56.060 and 41.56.140.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 41.56.060 and 2005 c 232 s 1 are each amended to read
5 as follows:

6 (1) The commission, after hearing upon reasonable notice, shall
7 decide in each application for certification as an exclusive bargaining
8 representative, the unit appropriate for the purpose of collective
9 bargaining. In determining, modifying, or combining the bargaining
10 unit, the commission shall consider the duties, skills, and working
11 conditions of the public employees; the history of collective
12 bargaining by the public employees and their bargaining
13 representatives; the extent of organization among the public employees;
14 and the desire of the public employees. The commission shall determine
15 the bargaining representative by: (a) Examination of organization
16 membership rolls; (b) comparison of signatures on organization
17 bargaining authorization cards; or (c) conducting an election
18 specifically therefor.

1 (2) For classified employees of school districts and educational
2 service districts:

3 (a) Appropriate bargaining units existing on July 24, 2005, may not
4 be divided into more than one unit without the agreement of the public
5 employer and the certified bargaining representative of the unit; and

6 (b) In making bargaining unit determinations under this section,
7 the commission must consider, in addition to the factors listed in
8 subsection (1) of this section, the avoidance of excessive
9 fragmentation.

10 (3) Bargaining units must be consolidated when the employer and the
11 certified exclusive bargaining representative of the units consider
12 whether the consolidation is appropriate under the factors listed in
13 subsection (1) of this section and agree to the consolidation.

14 **Sec. 2.** RCW 41.56.140 and 1969 ex.s. c 215 s 1 are each amended to
15 read as follows:

16 It shall be an unfair labor practice for a public employer:

17 (1) To interfere with, restrain, or coerce public employees in the
18 exercise of their rights guaranteed by this chapter;

19 (2) To control, dominate, or interfere with a bargaining
20 representative;

21 (3) To discriminate against a public employee who has filed an
22 unfair labor practice charge;

23 (4) To refuse to engage in collective bargaining with the certified
24 exclusive bargaining representative; or

25 (5) To attempt to bargain directly with anyone not authorized to
26 bargain by the certified exclusive bargaining representative.

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