

SB 6445 - H COMM AMD

By Committee on Labor & Workforce Development

1 Strike everything after the enacting clause and insert the
2 following:

3 "Sec. 1. RCW 41.56.030 and 2011 1st sp.s. c 21 s 11 are each
4 amended to read as follows:

5 As used in this chapter:

6 (1) "Adult family home provider" means a provider as defined in RCW
7 70.128.010 who receives payments from the medicaid and state-funded
8 long-term care programs.

9 (2) "Bargaining representative" means any lawful organization which
10 has as one of its primary purposes the representation of employees in
11 their employment relations with employers.

12 (3) "Child care subsidy" means a payment from the state through a
13 child care subsidy program established pursuant to RCW 74.12.340 or
14 74.08A.340, 45 C.F.R. Sec. 98.1 through 98.17, or any successor
15 program.

16 (4) "Collective bargaining" means the performance of the mutual
17 obligations of the public employer and the exclusive bargaining
18 representative to meet at reasonable times, to confer and negotiate in
19 good faith, and to execute a written agreement with respect to
20 grievance procedures and collective negotiations on personnel matters,
21 including wages, hours and working conditions, which may be peculiar to
22 an appropriate bargaining unit of such public employer, except that by
23 such obligation neither party shall be compelled to agree to a proposal
24 or be required to make a concession unless otherwise provided in this
25 chapter.

26 (5) "Commission" means the public employment relations commission.

27 (6) "Executive director" means the executive director of the
28 commission.

29 (7) "Family child care provider" means a person who: (a) Provides
30 regularly scheduled care for a child or children in the home of the

1 provider or in the home of the child or children for periods of less
2 than twenty-four hours or, if necessary due to the nature of the
3 parent's work, for periods equal to or greater than twenty-four hours;
4 (b) receives child care subsidies; and (c) is either licensed by the
5 state under RCW 74.15.030 or is exempt from licensing under chapter
6 74.15 RCW.

7 (8) "Individual provider" means an individual provider as defined
8 in RCW 74.39A.240(4) who, solely for the purposes of collective
9 bargaining, is a public employee as provided in RCW 74.39A.270.

10 (9) "Institution of higher education" means the University of
11 Washington, Washington State University, Central Washington University,
12 Eastern Washington University, Western Washington University, The
13 Evergreen State College, and the various state community colleges.

14 (10)(a) "Language access provider" means any independent contractor
15 who provides spoken language interpreter services for department of
16 social and health services appointments or medicaid enrollee
17 appointments, or provided these services on or after January 1, 2009,
18 and before June 10, 2010, whether paid by a broker, language access
19 agency, or the department.

20 (b) "Language access provider" does not mean an owner, manager, or
21 employee of a broker or a language access agency.

22 (11) "Public employee" means any employee of a public employer
23 except any person (a) elected by popular vote, or (b) appointed to
24 office pursuant to statute, ordinance or resolution for a specified
25 term of office as a member of a multimember board, commission, or
26 committee, whether appointed by the executive head or body of the
27 public employer, or (c) whose duties as deputy, administrative
28 assistant or secretary necessarily imply a confidential relationship to
29 (i) the executive head or body of the applicable bargaining unit, or
30 (ii) any person elected by popular vote, or (iii) any person appointed
31 to office pursuant to statute, ordinance or resolution for a specified
32 term of office as a member of a multimember board, commission, or
33 committee, whether appointed by the executive head or body of the
34 public employer, or (d) who is a court commissioner or a court
35 magistrate of superior court, district court, or a department of a
36 district court organized under chapter 3.46 RCW, or (e) who is a
37 personal assistant to a district court judge, superior court judge, or

1 court commissioner. For the purpose of (e) of this subsection, no more
2 than one assistant for each judge or commissioner may be excluded from
3 a bargaining unit.

4 (12) "Public employer" means any officer, board, commission,
5 council, or other person or body acting on behalf of any public body
6 governed by this chapter, or any subdivision of such public body. For
7 the purposes of this section, the public employer of district court or
8 superior court employees for wage-related matters is the respective
9 county legislative authority, or person or body acting on behalf of the
10 legislative authority, and the public employer for nonwage-related
11 matters is the judge or judge's designee of the respective district
12 court or superior court.

13 (13) "Uniformed personnel" means: (a) Law enforcement officers as
14 defined in RCW 41.26.030 employed by the governing body of any city or
15 town with a population of two thousand five hundred or more and law
16 enforcement officers employed by the governing body of any county with
17 a population of ten thousand or more; (b) correctional employees who
18 are uniformed and nonuniformed, commissioned and noncommissioned
19 security personnel employed in a jail as defined in RCW 70.48.020(9),
20 by a county with a population of seventy thousand or more, and who are
21 trained for and charged with the responsibility of controlling and
22 maintaining custody of inmates in the jail and safeguarding inmates
23 from other inmates; (c) general authority Washington peace officers as
24 defined in RCW 10.93.020 employed by a port district in a county with
25 a population of one million or more; (d) security forces established
26 under RCW 43.52.520; (e) firefighters as that term is defined in RCW
27 41.26.030; (f) employees of a port district in a county with a
28 population of one million or more whose duties include crash fire
29 rescue or other firefighting duties; (g) employees of fire departments
30 of public employers who dispatch exclusively either fire or emergency
31 medical services, or both; ~~((or))~~ (h) employees in the several classes
32 of advanced life support technicians, as defined in RCW 18.71.200, who
33 are employed by a public employer; or (i) court protection employees or
34 court marshals who are trained for and commissioned by the county
35 sheriff and charged with the responsibility of enforcing laws,
36 protecting and maintaining security in all county-owned or contracted
37 property, and performing any other duties assigned to them by the
38 sheriff of the county or mandated by judicial order."

1 Correct the title.

EFFECT: Includes in the definition of "uniformed personnel" court protection employees and court marshals of all counties, not just of counties with a population of 1 million or more.

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