

SB 6445 - H AMD TO LWD COMM AMD (H-4432.1/14) **900**

By Representative Manweller

1 On page 3, after line 38 of the striking amendment, insert the
2 following:

3 "Sec. 2. RCW 41.56.465 and 2007 c 278 s 1 are each amended to
4 read as follows:

5 (1) In making its determination, the panel shall be mindful of the
6 legislative purpose enumerated in RCW 41.56.430 and, as additional
7 standards or guidelines to aid it in reaching a decision, the panel
8 shall consider:

9 (a) The constitutional and statutory authority of the employer;

10 (b) Stipulations of the parties;

11 (c) The average consumer prices for goods and services, commonly
12 known as the cost of living;

13 (d) Changes in any of the circumstances under (a) through (c) of
14 this subsection during the pendency of the proceedings; ~~((and))~~

15 (e) The financial ability of the state or local government to pay
16 for the compensation and benefit provisions of a collective bargaining
17 agreement; and

18 (f) Such other factors, not confined to the factors under (a)
19 through ~~((d))~~ (e) of this subsection, that are normally or
20 traditionally taken into consideration in the determination of wages,
21 hours, and conditions of employment. For those employees listed in
22 RCW 41.56.030~~((+7))~~(13)(a) who are employed by the governing body of
23 a city or town with a population of less than fifteen thousand, or a
24 county with a population of less than seventy thousand, consideration
25 must also be given to regional differences in the cost of living.

26 (2) For employees listed in RCW 41.56.030~~((+7))~~(13)(a) through
27 (d), the panel shall also consider a comparison of the wages, hours,

1 and conditions of employment of personnel involved in the proceedings
2 with the wages, hours, and conditions of employment of like personnel
3 of like employers of similar size on the west coast of the United
4 States.

5 (3) For employees listed in RCW 41.56.030(~~(+7)~~)(13)(e) through
6 (h), the panel shall also consider a comparison of the wages, hours,
7 and conditions of employment of personnel involved in the proceedings
8 with the wages, hours, and conditions of employment of like personnel
9 of public fire departments of similar size on the west coast of the
10 United States. However, when an adequate number of comparable
11 employers exists within the state of Washington, other west coast
12 employers may not be considered.

13 (4) For employees listed in RCW 41.56.028:

14 (a) The panel shall also consider:

15 (i) A comparison of child care provider subsidy rates and
16 reimbursement programs by public entities, including counties and
17 municipalities, along the west coast of the United States; and

18 (ii) The financial ability of the state to pay for the
19 compensation and benefit provisions of a collective bargaining
20 agreement; and

21 (b) The panel may consider:

22 (i) The public's interest in reducing turnover and increasing
23 retention of child care providers;

24 (ii) The state's interest in promoting, through education and
25 training, a stable child care workforce to provide quality and
26 reliable child care from all providers throughout the state; and

27 (iii) In addition, for employees exempt from licensing under
28 chapter 74.15 RCW, the state's fiscal interest in reducing reliance
29 upon public benefit programs including but not limited to medical
30 coupons, food stamps, subsidized housing, and emergency medical
31 services.

32 (5) For employees listed in RCW 74.39A.270:

33 (a) The panel shall consider:

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1 (i) A comparison of wages, hours, and conditions of employment of
2 publicly reimbursed personnel providing similar services to similar
3 clients, including clients who are elderly, frail, or have
4 developmental disabilities, both in the state and across the United
5 States; and

6 (ii) The financial ability of the state to pay for the
7 compensation and fringe benefit provisions of a collective bargaining
8 agreement; and

9 (b) The panel may consider:

10 (i) A comparison of wages, hours, and conditions of employment of
11 publicly employed personnel providing similar services to similar
12 clients, including clients who are elderly, frail, or have
13 developmental disabilities, both in the state and across the United
14 States;

15 (ii) The state's interest in promoting a stable long-term care
16 workforce to provide quality and reliable care to vulnerable elderly
17 and disabled recipients;

18 (iii) The state's interest in ensuring access to affordable,
19 quality health care for all state citizens; and

20 (iv) The state's fiscal interest in reducing reliance upon public
21 benefit programs including but not limited to medical coupons, food
22 stamps, subsidized housing, and emergency medical services.

23 (6) Subsections (2) and (3) of this section may not be construed
24 to authorize the panel to require the employer to pay, directly or
25 indirectly, the increased employee contributions resulting from
26 chapter 502, Laws of 1993 or chapter 517, Laws of 1993 as required
27 under chapter 41.26 RCW."

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EFFECT: Requires the arbitration panel, in resolving disputes involving uniformed personnel, to consider the financial ability of the state or local government to pay for the compensation and benefit provisions of a collective bargaining agreement.

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