

SENATE BILL REPORT

SSB 6250

As Passed Senate, February 14, 2014

Title: An act relating to digital copies of public employees' collective bargaining agreements.

Brief Description: Requiring submission of digital copies of public employees' collective bargaining agreements.

Sponsors: Senate Committee on Commerce & Labor (originally sponsored by Senators Dammeier, Sheldon and Tom).

Brief History:

Committee Activity: Commerce & Labor: 1/24/14, 1/27/14 [DPS].

Passed Senate: 2/14/14, 37-11.

SENATE COMMITTEE ON COMMERCE & LABOR

Majority Report: That Substitute Senate Bill No. 6250 be substituted therefor, and the substitute bill do pass.

Signed by Senators Holmquist Newbry, Chair; Braun, Vice Chair; Conway, Ranking Member; Hasegawa, Hewitt, King and Kohl-Welles.

Staff: Jessica Stevenson (786-7465)

Background: Employees have the right to organize and to designate a representative for collective bargaining. Generally, a bargaining representative is any lawful organization that represents employees in their employment relations with employers as one of its primary purposes. The employer and the bargaining representative must meet at reasonable times to bargain in good faith in an effort to reach agreement with respect to wages, hours, and other terms and conditions of employment.

The Public Employment Relations Commission (PERC) was created to assist public employers and employees to settle labor disputes through mediation and fact finding. The commission may offer its services in any labor dispute arising under a collective bargaining statute administered by the commission, either upon its own motion or upon the request of one or more of the parties to the dispute.

The Department of Labor and Industries (L&I) regulates the collective bargaining for health care activities. Health care activity is defined as any hospital, nursing home, institution,

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agency, or establishment, not operated by the government, that cares for sick, aged, or infirm persons as one of its primary purposes.

Summary of Substitute Bill: Employers of public employees, state employees, faculty of public four-year institutions, educational employees, symphony musicians, academic personnel in community colleges, and marine employees must submit a digital copy of their collective bargaining agreement to PERC within 30 days of the effective date of the collective bargaining agreement. PERC must maintain a website that allows the public to view and download collective bargaining agreements submitted to them by employers. The agreements must be available in a uniform digital format. PERC must make a collective bargaining agreement available on the website for up to ten years following the expiration of the agreement.

Employers of employees performing health care activities must submit a digital copy of their collective bargaining agreement to L&I within 30 days of the effective date of the collective bargaining agreement. L&I must maintain a website that allows the public to view and download collective bargaining agreements submitted to them by employers. The agreements must be available in a uniform digital format. L&I must make a collective bargaining agreement available on the website for up to ten years following the expiration of the agreement.

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 on Original Bill: PRO: Collective bargaining agreements are significant because they impact a lot of people. Citizens have a vested interest in being able to access collective bargaining agreements. Union members will know where to find a copy of their collective bargaining agreements in an easy and convenient way. Having all collective bargaining agreements available will allow other unions to review other agreements and develop ideas for their own agreements. New Hampshire has a similar system.

CON: The Office of Financial Management would be more appropriate than PERC. Many small and big cities and counties have the collective bargaining agreements online. Shifting the burden onto unions is difficult because the unions must wait for the contract to be sent to them by the employer. The term uniform digital format is unclear.

OTHER: Most collective bargaining agreements are already available online on various websites. Some small local unions do not have the resources to comply with the submission requirements. L&I does not usually get involved in collective bargaining.

Persons Testifying: PRO: Senator Dammeier, prime sponsor; Max Nelsen, Freedom Foundation.

CON: Gordon Baxter, IBU, IOMM&P, MEBA, OPEIU Local 8, PSMTTC, WAFWP; Michael White, WA State Council of Fire Fighters; Adrienne Thompson, Professional & Technical Employees, Local 17.

OTHER: Joe Kendo, WA State Labor Council, AFL-CIO, Legislative and Policy Director.