

SENATE BILL REPORT

SB 5231

As Reported by Senate Committee On:
Commerce & Labor, February 18, 2015

Title: An act relating to modifying collective bargaining law to authorize the right of state workers employed in the community and technical college system as nontenured part-time academic employees to form a collective bargaining unit for the protection of their common interests.

Brief Description: Modifying collective bargaining law to authorize the right of state workers employed in the community and technical college system as nontenured part-time academic employees to form a collective bargaining unit for the protection of their common interests.

Sponsors: Senators Sheldon, Dansel, Becker and Hobbs.

Brief History:

Committee Activity: Commerce & Labor: 2/13/15, 2/18/15 [DP-WM, DNP].

SENATE COMMITTEE ON COMMERCE & LABOR

Majority Report: Do pass and be referred to Committee on Ways & Means.

Signed by Senators Baumgartner, Chair; Braun, Vice Chair; King and Warnick.

Minority Report: Do not pass.

Signed by Senators Hasegawa, Ranking Minority Member; Conway and Keiser.

Staff: Mac Nicholson (786-7445)

Background: Academic employees at community and technical colleges have collective bargaining rights with respect to wages, hours, and other terms and conditions of employment, including procedures related to non-retention, dismissal, denial of tenure, and reductions in force. Bargaining occurs between the board of trustees for the particular community college district and the appropriate exclusive employee organization.

Bargaining units at community and technical colleges are composed of academic employees, which include any teacher, counselor, librarian, or department head who is employed by the college district on a full-time or part-time basis. Administrators can be part of the bargaining unit if a majority of the administrators and a majority of the bargaining unit elect to include them.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Community and technical college collective bargaining agreements can last up to three fiscal years, and academic employees have non-association rights. The Public Employment Relations Commission conducts mediation activities, elections, adjudications of unfair labor practices, and otherwise administers employer-employee relations.

Summary of Bill: The legislative intent as expressed in the bill is that collective bargaining units may be composed of either full-time tenured academic employees or part-time non-tenured academic employees to strengthen the direct communication of the distinct employee types with the employer.

Full-time academic tenured academic employees may join full-time tenured collective bargaining units. Part-time tenured academic employees may join part-time faculty collective bargaining units. Both full-time and part-time academic employees have the right to self-organize and collectively bargain through representatives of their own choosing.

Discrimination against part-time academic employees on the basis of their part-time or non-tenured employment status is a violation of chapter 28B.52 RCW.

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: In the two-year bargaining law, part-time faculty are mandated to be in same bargaining unit as tenured faculty, who act as supervisors. There are conflicts of interest at every level. This bill represents change. Unions shouldn't be made up of two tiers of employees. Full-time faculty and part-time faculty shouldn't be in the same bargaining unit.

Persons Testifying: PRO: Keith Hoeller, Jack Longmate, WA Part-Time Faculty Assn.; Daniel Hall, Randall Martin, Tacoma Community College; Shirley Williams, Tacoma Community College, Pierce College; Richard Elfers, Adjunct professor, Green River Community College; Roberta Kowald, citizen.