
SENATE BILL 6092

State of Washington

64th Legislature

2015 Regular Session

By Senator Roach

Read first time 04/02/15. Referred to Committee on Ways & Means.

1 AN ACT Relating to providing funding for certain commissioned
2 court marshals of county sheriff's offices to be added to the
3 definition of uniformed personnel for the purposes of public
4 employees' collective bargaining; and amending RCW 41.56.030 and
5 12.40.020.

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

7 **Sec. 1.** RCW 41.56.030 and 2011 1st sp.s. c 21 s 11 are each
8 amended to read as follows:

9 As used in this chapter:

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

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

16 (3) "Child care subsidy" means a payment from the state through a
17 child care subsidy program established pursuant to RCW 74.12.340 or
18 74.08A.340, 45 C.F.R. Sec. 98.1 through 98.17, or any successor
19 program.

20 (4) "Collective bargaining" means the performance of the mutual
21 obligations of the public employer and the exclusive bargaining

1 representative to meet at reasonable times, to confer and negotiate
2 in good faith, and to execute a written agreement with respect to
3 grievance procedures and collective negotiations on personnel
4 matters, including wages, hours and working conditions, which may be
5 peculiar to an appropriate bargaining unit of such public employer,
6 except that by such obligation neither party shall be compelled to
7 agree to a proposal or be required to make a concession unless
8 otherwise provided in this chapter.

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

11 (6) "Executive director" means the executive director of the
12 commission.

13 (7) "Family child care provider" means a person who: (a) Provides
14 regularly scheduled care for a child or children in the home of the
15 provider or in the home of the child or children for periods of less
16 than twenty-four hours or, if necessary due to the nature of the
17 parent's work, for periods equal to or greater than twenty-four
18 hours; (b) receives child care subsidies; and (c) is either licensed
19 by the state under RCW 74.15.030 or is exempt from licensing under
20 chapter 74.15 RCW.

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

24 (9) "Institution of higher education" means the University of
25 Washington, Washington State University, Central Washington
26 University, Eastern Washington University, Western Washington
27 University, The Evergreen State College, and the various state
28 community colleges.

29 (10)(a) "Language access provider" means any independent
30 contractor who provides spoken language interpreter services for
31 department of social and health services appointments or medicaid
32 enrollee appointments, or provided these services on or after January
33 1, 2009, and before June 10, 2010, whether paid by a broker, language
34 access agency, or the department.

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

37 (11) "Public employee" means any employee of a public employer
38 except any person (a) elected by popular vote, or (b) appointed to
39 office pursuant to statute, ordinance or resolution for a specified
40 term of office as a member of a multimember board, commission, or

1 committee, whether appointed by the executive head or body of the
2 public employer, or (c) whose duties as deputy, administrative
3 assistant or secretary necessarily imply a confidential relationship
4 to (i) the executive head or body of the applicable bargaining unit,
5 or (ii) any person elected by popular vote, or (iii) any person
6 appointed to office pursuant to statute, ordinance or resolution for
7 a specified term of office as a member of a multimember board,
8 commission, or committee, whether appointed by the executive head or
9 body of the public employer, or (d) who is a court commissioner or a
10 court magistrate of superior court, district court, or a department
11 of a district court organized under chapter 3.46 RCW, or (e) who is a
12 personal assistant to a district court judge, superior court judge,
13 or court commissioner. For the purpose of (e) of this subsection, no
14 more than one assistant for each judge or commissioner may be
15 excluded from a bargaining unit.

16 (12) "Public employer" means any officer, board, commission,
17 council, or other person or body acting on behalf of any public body
18 governed by this chapter, or any subdivision of such public body. For
19 the purposes of this section, the public employer of district court
20 or superior court employees for wage-related matters is the
21 respective county legislative authority, or person or body acting on
22 behalf of the legislative authority, and the public employer for
23 nonwage-related matters is the judge or judge's designee of the
24 respective district court or superior court.

25 (13) "Uniformed personnel" means: (a) Law enforcement officers as
26 defined in RCW 41.26.030 employed by the governing body of any city
27 or town with a population of two thousand five hundred or more and
28 law enforcement officers employed by the governing body of any county
29 with a population of ten thousand or more; (b) correctional employees
30 who are uniformed and nonuniformed, commissioned and noncommissioned
31 security personnel employed in a jail as defined in RCW 70.48.020(9),
32 by a county with a population of seventy thousand or more, and who
33 are trained for and charged with the responsibility of controlling
34 and maintaining custody of inmates in the jail and safeguarding
35 inmates from other inmates; (c) general authority Washington peace
36 officers as defined in RCW 10.93.020 employed by a port district in a
37 county with a population of one million or more; (d) security forces
38 established under RCW 43.52.520; (e) firefighters as that term is
39 defined in RCW 41.26.030; (f) employees of a port district in a
40 county with a population of one million or more whose duties include

1 crash fire rescue or other firefighting duties; (g) employees of fire
2 departments of public employers who dispatch exclusively either fire
3 or emergency medical services, or both; (~~or~~) (h) employees in the
4 several classes of advanced life support technicians, as defined in
5 RCW 18.71.200, who are employed by a public employer; or (i) court
6 marshals of any county who are employed by, trained for, and
7 commissioned by the county sheriff and charged with the
8 responsibility of enforcing laws, protecting and maintaining security
9 in all county-owned or contracted property, and performing any other
10 duties assigned to them by the county sheriff or mandated by judicial
11 order.

12 **Sec. 2.** RCW 12.40.020 and 2011 1st sp.s. c 44 s 2 are each
13 amended to read as follows:

14 (1) A small claims action shall be commenced by the plaintiff
15 filing a claim, in the form prescribed by RCW 12.40.050, in the small
16 claims department. A filing fee of fourteen dollars plus any
17 surcharge authorized by RCW 7.75.035 shall be paid when the claim is
18 filed. Any party filing a counterclaim, cross-claim, or third-party
19 claim in such action shall pay to the court a filing fee of fourteen
20 dollars plus any surcharge authorized by RCW 7.75.035.

21 (2) (~~Until July 1, 2013~~) Beginning September 1, 2015, in
22 addition to the fees required by this section, an additional
23 surcharge of (~~ten~~) one dollar(~~s~~) shall be charged on the filing
24 fees required by this section, of which (~~seventy-five~~) twenty-five
25 percent must be remitted to the state treasurer for deposit in the
26 judicial stabilization trust account and (~~twenty-five~~) seventy-five
27 percent must be retained by the county for courthouse security.

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