

ESSB 6199 - H AMD 1252

By Representative Schmick

NOT ADOPTED 03/01/2018

1 On page 48, beginning on line 24, after "(3)" strike all material
2 through "law" on line 38 and insert "In accordance with the United
3 States supreme court decision in *Harris v. Quinn*, 134 S. Ct. 2618
4 (2014), and the state's authority under section 14(b) of the labor
5 management relations act of 1947, no individual provider may be
6 required to become or remain a member of a labor organization as a
7 condition of participating in programs authorized through the medicaid
8 state plan or medicaid waiver authorities or similar state-funded in-
9 home care programs, nor may any individual provider be required to pay
10 any dues, fees, assessments, or other charges to a labor organization
11 as a condition of participation in such programs. No individual
12 provider may be prevented from joining or resigning membership in a
13 labor organization at any time. The department of social and health
14 services and consumer directed employers may not deduct dues, fees,
15 assessments, or other charges from the pay of an individual provider
16 on behalf of a labor organization without the voluntary, written
17 authorization of the individual provider. No such authorization may be
18 irrevocable for a period of more than one year"

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EFFECT: Removes the authority of the exclusive bargaining representative to direct the consumer-directed employer (CDE) to make voluntary deductions for individual providers (IPs) as required by the collective bargaining agreement so long as those deductions do not conflict with federal or state law. Prohibits IPs from being required to become or remain members of a labor organization, and from paying any dues, fees, assessments or other charges to the CDE or Department of Social and Health Services (DSHS) on behalf of a labor organization. Specifies that no IP may be prevented from joining or resigning membership in a labor organization at any time. Requires DSHS or the CDE to receive an IP's written authorization before deducting labor organization dues, fees, assessments, or

other charges.

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