

# FINAL BILL REPORT

## EHB 1237

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C 267 L 18  
Synopsis as Enacted

**Brief Description:** Modifying collective bargaining law to authorize providing additional compensation to academic employees at community and technical colleges.

**Sponsors:** Representatives Sells, Haler, Pollet, Appleton, Bergquist, Cody, Farrell, Riccelli, Lovick, Johnson, Ormsby, Springer, Gregerson, Ryu, Wylie, Sawyer, Santos, Senn, Goodman, Fey and Stanford.

**House Committee on Labor & Workplace Standards**  
**House Committee on Appropriations**  
**Senate Committee on Commerce, Labor & Sports**  
**Senate Committee on Labor & Commerce**

### **Background:**

Several collective bargaining laws apply to public institutions of higher education.

For faculty at four-year institutions and certain student employees at the University of Washington and Washington State University, a collective bargaining agreement may not include compensation that exceeds the amount or percentage established by the Legislature in the appropriations act. However, the employer is allowed to provide additional compensation to faculty and certain student employees that exceeds that provided by the Legislature.

Classified employees of technical colleges bargain under the Public Employees' Collective Bargaining Act (PECBA). On the other hand, academic employees, which are teachers, counselors, librarians, and department heads at community and technical colleges (CTCs), bargain under their own collective bargaining act. Under that act, provisions of a contract related to salary increases may not include salary increases that exceed the amount or percentage established by the Legislature in the appropriations act and allocated by the State Board for Community and Technical Colleges (State Board). Any provisions pertaining to salary increases in a contract are not binding upon future actions of the Legislature. There is no provision in the academic employees' bargaining act that allows the employer to provide additional compensation.

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*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.*

Generally, for bargaining agreements of classified employees of institutions of higher education, the Governor must submit a request for funds to the Legislature to implement the compensation provisions of the agreements. The Governor may not submit requests for funds unless the requests have first been submitted to the Director of the Office of Financial Management (OFM) by October 1 prior to the legislative session in which the request for funds to implement the agreement is to be considered and the Director of the OFM has certified that the request is feasible financially for the state. Bargaining agreements of academic employees of institutions of higher education are not subject to this requirement.

**Summary:**

An exception is created in the CTC academic employee's bargaining act to allow a board of trustees to provide additional compensation to CTC academic employees that exceeds what is provided by the Legislature. A reference to classified employees of technical colleges under the PECBA is also added to that provision. The language specifying that provisions related to salary increases in a contract are not binding on the Legislature's future actions is stricken.

The written bargaining agreement acted upon by the board of trustees of a CTC must be submitted to the Director of the OFM by October 1 prior to the fiscal year in which the provisions of the agreement go into effect.

**Votes on Final Passage:**

House	65	32	
House	57	41	
Senate	27	21	(Senate amended)
House	57	41	(House concurred)

**Effective:** June 7, 2018