

# HOUSE BILL REPORT

## HB 1559

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### As Reported by House Committee On: Appropriations

**Title:** An act relating to granting binding interest arbitration rights to certain uniformed personnel.

**Brief Description:** Granting binding interest arbitration rights to certain uniformed personnel.

**Sponsors:** Representatives Goodman, Hayes, Bergquist, Dolan, Doglio, Griffey, Ryu, Lovick, Fitzgibbon, Sells and Ormsby.

#### **Brief History:**

##### **Committee Activity:**

Labor and Workplace Standards: 2/9/17, 2/14/17 [DP];

Appropriations: 1/15/18, 1/18/18 [DPS].

#### **Brief Summary of Substitute Bill**

- Provides binding interest arbitration for duly sworn police officers employed as members of a police force established by state universities, regional universities, and The Evergreen State College.

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### HOUSE COMMITTEE ON APPROPRIATIONS

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 25 members: Representatives Ormsby, Chair; Robinson, Vice Chair; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist, Buys, Caldier, Cody, Fitzgibbon, Haler, Hansen, Harris, Hudgins, Jinkins, Kagi, Manweller, Pettigrew, Pollet, Sawyer, Senn, Springer, Stanford, Sullivan, Tharinger and Volz.

**Minority Report:** Do not pass. Signed by 7 members: Representatives Chandler, Ranking Minority Member; Condotta, Graves, Schmick, Taylor, Vick and Wilcox.

**Staff:** David Pringle (786-7310).

#### **Background:**

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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.*

The Public Employees' Collective Bargaining Act (PECBA) provides for collective bargaining of wages, hours, and working conditions with employees of cities, counties, and other political subdivisions. The PECBA also applies to the state with respect to the officers of the Washington State Patrol (WSP).

The PECBA recognizes the public policy against strikes by uniformed personnel as a means of settling labor disputes. The PECBA provides for binding interest arbitration to resolve impasses over contract negotiations between uniformed personnel and their employers. Uniformed personnel include certain law enforcement officers and firefighters. The WSP officers are also provided binding interest arbitration under PECBA.

The Personnel System Reform Act (PSRA) provides for collective bargaining of wages, hours, and other terms and conditions of employment with classified employees of state agencies and institutions of higher education. The PSRA does not provide for binding interest arbitration.

The boards of the University of Washington, Washington State University, the regional universities, and The Evergreen State College are authorized to establish police forces for their institutions.

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### **Summary of Bill:**

The PSRA is amended to provide binding interest arbitration for uniformed personnel. Uniformed personnel are duly sworn police officers employed as members of a police force established by state universities, regional universities, or The Evergreen State College.

Provisions establishing interest arbitration are added to the PSRA, similar to existing provisions in the PECBA. These provisions specify that the right of uniformed personnel to strike is not granted, and also address the following:

- mediation when an agreement is not reached following negotiations;
- arbitration when an agreement is not reached following mediation;
- powers and duties of an arbitration panel;
- procedures for an arbitration hearing; and
- factors to be considered by the arbitration panel.

In addition, provisions are added to the PSRA that are comparable to provisions applicable to the WSP in the PECBA. These provisions:

- establish procedures for appointing an arbitration panel;
- require the Governor to submit either a request for funds to implement the compensation and fringe benefit provisions in an agreement, or a request for legislation necessary to implement an agreement, if the request is submitted to the Director of the Office of Financial Management by October 1 or reflects an arbitration panel's decision; and
- specify that, if an impasse in negotiations results in an arbitration award, that decision is not binding on the Legislature, and if the Legislature does not approve the funds

necessary to implement the compensation and fringe benefit provisions of an arbitrated agreement, the arbitration decision is not binding on the state.

The Public Employment Relations Commission is required to review whether existing bargaining units that include uniformed personnel are appropriate and is authorized to modify a unit that is not appropriate. Exclusive bargaining representatives of uniformed personnel are "grandfathered" and continue to represent those units without the necessity of an election as of the bill's effective date; however, there may be proceedings concerning representation after the bill's effective date.

**Substitute Bill Compared to Original Bill:**

The substitute bill makes date changes to reflect passage during the 2018 Legislative Session and updates the versions of the laws being amended for changes in other bills enacted in 2017.

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**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date of Substitute Bill:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

**Staff Summary of Public Testimony:**

(In support) The 2002 PSRA made an outlier of campus police. All of the other fully authorized law enforcement officers already have this. There are specific needs in bargaining that should be addressed. The administrative costs in the fiscal note are really funds that the universities should have been spending on labor relations. These officers work in dangerous conditions.

(Opposed) None.

**Persons Testifying:** Matt Zuvich, Washington Federation of State Employees; and Brenda Wiest, Teamsters 117.

**Persons Signed In To Testify But Not Testifying:** None.