

HOUSE BILL REPORT

SB 5969

As Passed House:
June 29, 2017

Title: An act relating to increasing transparency in public employee collective bargaining through the posting of the content of bargaining agreements and meetings of the joint committee of employment relations.

Brief Description: Concerning public employee collective bargaining.

Sponsors: Senators Keiser, Braun, Hobbs, Mullet and Conway; by request of Office of Financial Management.

Brief History:

Committee Activity:

None.

Third Special Session

Floor Activity:

Passed House: 6/29/17, 93-1.

Brief Summary of Bill

- Requires the Office of Financial Management to maintain a website with copies and summaries of tentatively agreed to collective bargaining agreements.
- Requires the Governor or designee to convene at least six meetings of the Joint Committee on Employment Relations.

Staff: David Pringle (786-7310).

Background:

The Personnel System Reform Act of 2002 (PSRA) provides for collective bargaining of wages, hours, and other terms and conditions of employment between the Governor and classified employees of state agencies and between governing boards of institutions of higher education and their classified employees. The Public Employees' Collective Bargaining Act (PECBA) provides for collective bargaining by counties, cities, other political subdivisions, and certain state employees, such as commissioned officers of the Washington State Patrol.

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 PECBA also provides for collective bargaining between the Governor and certain non-state employee groups such as family child care providers, adult family home providers, individual providers of home care services, and language access providers. These groups are state employees solely for the purpose of collective bargaining.

Under the PSRA and the PECBA, the Governor must submit to the Legislature a request for funds necessary to implement a collective bargaining agreement (CBA) as part of the Governor's budget document. However, the Governor may not submit a request for funds unless: (1) the request has been submitted to the Office of Financial Management (OFM) Director by October 1 prior to the legislative session in which the request is to be considered; and (2) the request for funds has been certified by the OFM Director as being financially feasible for the state or reflective of a binding decision of an arbitration panel.

The PSRA created the Joint Committee on Employment Relations (Committee) consisting of eight legislators from both houses from the two largest caucuses. The PSRA and other statutes providing for collective bargaining require the Governor to periodically consult with the Committee regarding appropriations necessary to implement the compensation and fringe benefit provisions in the master collective bargaining agreements, and upon completion of negotiations, advise on the elements of the agreements and on any legislation necessary to implement the agreements.

Summary of Bill:

The OFM must maintain a website to post copies of all agreements collectively bargained with state employees and all agreements collectively bargained with those groups who are state employees solely for the purpose of collective bargaining under the PECBA. A searchable copy of tentatively agreed to CBAs must be posted to the website within 45 days of it being submitted to the OFM. The OFM must also post a summary of each CBA that includes certain details such as a summary of the economic provisions and provisions allowing the contract to be reopened during the term of the agreement. The summary must be posted to the website no later than the date that the Governor submits a request for funding.

One nonvoting member representing the OFM is added to the committee membership. The Governor or a designee must convene at least six meetings of the Committee each year. In years when master agreements are negotiated the Committee must meet prior to the start of bargaining to identify goals and objectives for the bargaining process that the Governor may take into consideration during negotiations. A meeting must also be convened following the Governor's budget submittal to advise the Committee on appropriations and legislation necessary to implement the agreements. A quorum is not required for meetings and Committee members may meet by telephonic means. By a majority vote, the Committee must adopt rules related to committee administration including the right of the public to attend Committee meetings with exceptions designed to protect the public's interest, privacy of individuals, and confidential information used or to be used in collective bargaining. In addition, by majority vote, the Committee may meet more or less frequently.

Appropriation: None.

Fiscal Note: Not requested.

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