

FINAL BILL REPORT

SB 6231

C 252 L 18
Synopsis as Enacted

Brief Description: Concerning the statute of limitations for unfair labor practice complaints filed in superior court.

Sponsors: Senators Kuderer, Van De Wege, Conway, Wellman, Chase, Hasegawa, Saldaña and Keiser.

Senate Committee on Labor & Commerce
House Committee on Judiciary

Background: An unfair labor practice is an action taken by employers or labor organizations that is illegal under state collective bargaining law or the National Labor Relations Act. Examples of unfair labor practices include:

- interfering, restraining, or coercing employees in the exercise of rights guaranteed by collective bargaining laws;
- discriminating against an employee who has filed an unfair labor practice charge; or
- refusing to engage in collective bargaining.

The Public Employment Relations Commission (PERC) administers and enforces most public sector collective bargaining laws in Washington. PERC issues decisions in representation, unfair labor practice, and unit clarification cases, and the commissioners hear appeals from these decisions.

State law provides that a complaint alleging an unfair labor practice may not be processed if the unfair labor practice occurred more than six months before the filing of the complaint with the commission.

In October of 2017, the state supreme court ruled that the six-month statute of limitations in state law only applies to claims filed with PERC and does not apply to unfair labor practice claims filed in superior court. Instead, the two-year catch-all statute of limitations applies.

Summary: Under state collective bargaining statutes, the statute of limitations for unfair labor practice complaints filed in superior court is six months.

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.

Votes on Final Passage:

Senate 27 20

House 50 48

Effective: June 7, 2018