

SHB 1575 - S COMM AMD
By Committee on Labor & Commerce

ADOPTED AS AMENDED 04/11/2019

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter 4.24
4 RCW to read as follows:

5 (1) The legislature finds and declares application of this
6 section to pending claims and actions clarifies existing state law
7 rather than changes it. Public employees who paid agency or fair
8 share fees as a condition of public employment in accordance with
9 state law and supreme court precedent before June 27, 2018, had no
10 legitimate expectation of receiving that money under any available
11 cause of action. Public employers and employee organizations who
12 relied on, and abided by, state law and supreme court precedent in
13 deducting and accepting those fees were not liable to refund them.
14 Agency or fair share fees paid for collective bargaining
15 representation that employee organizations were obligated by state
16 law to provide to public employees. Application of this section to
17 pending claims will preserve, rather than interfere with, important
18 reliance interests.

19 (2) Public employers and an employee organization, or any of
20 their employees or agents, are not liable for, and have a complete
21 defense to, any claims or actions under the law of this state for
22 requiring, deducting, receiving, or retaining agency or fair share
23 fees from public employees, and current or former public employees do
24 not have standing to pursue these claims or actions, if the fees were
25 permitted at the time under the laws of this state then in force and
26 paid, through payroll deduction or otherwise, before June 27, 2018.

27 (a) This section applies to all claims and actions pending on the
28 effective date of this section, and to claims and actions filed on or
29 after the effective date of this section.

30 (b) This section may not be interpreted to infer that any relief
31 made unavailable by this section would otherwise be available.

1 (3) This section is necessary to provide certainty to public
2 employers and employee organizations that relied on state law, and to
3 avoid disruption of public employee labor relations, after the
4 supreme court's decision in *Janus v. American Federation of State,*
5 *County, and Municipal Employees, Council 31* (2018) 138 S.Ct. 2448.

6 (4) For purposes of this section:

7 (a) "Employee organization" means any organization that
8 functioned as an exclusive collective bargaining representative for
9 public employees under any statute, ordinance, regulation, or other
10 state or local law, and any labor organization with which it was
11 affiliated.

12 (b) "Public employer" means any public employer including, but
13 not limited to, the state, a court, a city, a county, a city and
14 county, a school district, a community college district, an
15 institution of higher education and its board or regents, a transit
16 district, any public authority, any public agency, any other
17 political subdivision or public corporation, or any other entity
18 considered a public employer for purposes of the labor relations
19 statutes of Washington.

20 **Sec. 2.** RCW 28B.52.020 and 1991 c 238 s 146 are each amended to
21 read as follows:

22 As used in this chapter:

23 (1) "Employee organization" means any organization which includes
24 as members the academic employees of a college district and which has
25 as one of its purposes the representation of the employees in their
26 employment relations with the college district.

27 (2) "Academic employee" means any teacher, counselor, librarian,
28 or department head, who is employed by any college district, whether
29 full or part time, with the exception of the chief administrative
30 officer of, and any administrator in, each college district.

31 (3) "Administrator" means any person employed either full or part
32 time by the college district and who performs administrative
33 functions as at least fifty percent or more of his or her
34 assignments, and has responsibilities to hire, dismiss, or discipline
35 other employees. Administrators shall not be members of the
36 bargaining unit unless a majority of such administrators and a
37 majority of the bargaining unit elect by secret ballot for such
38 inclusion pursuant to rules as adopted in accordance with RCW
39 28B.52.080.

1 (4) "Commission" means the public employment relations
2 commission.

3 (5) "Unfair labor practice" means any unfair labor practice
4 listed in RCW 28B.52.073.

5 (~~("Union security provision" means a provision in a~~
6 ~~collective bargaining agreement under which some or all employees in~~
7 ~~the bargaining unit may be required, as a condition of continued~~
8 ~~employment on or after the thirtieth day following the beginning of~~
9 ~~such employment or the effective date of the provision, whichever is~~
10 ~~later, to become a member of the exclusive bargaining representative~~
11 ~~or pay an agency fee equal to the periodic dues and initiation fees~~
12 ~~uniformly required as a condition of acquiring or retaining~~
13 ~~membership in the exclusive bargaining representative.~~

14 (~~7~~)) "Exclusive bargaining representative" means any employee
15 organization which has:

16 (a) Been certified or recognized under this chapter as the
17 representative of the employees in an appropriate collective
18 bargaining unit; or

19 (b) Before July 26, 1987, been certified or recognized under a
20 predecessor statute as the representative of the employees in a
21 bargaining unit which continues to be appropriate under this chapter.

22 (~~(8)~~) (7) "Collective bargaining" and "bargaining" mean the
23 performance of the mutual obligation of the representatives of the
24 employer and the exclusive bargaining representative to meet at
25 reasonable times to bargain in good faith in an effort to reach
26 agreement with respect to wages, hours, and other terms and
27 conditions of employment, such as procedures related to nonretention,
28 dismissal, denial of tenure, and reduction in force. Prior law,
29 practice, or interpretation shall be neither restrictive, expansive,
30 nor determinative with respect to the scope of bargaining. A written
31 contract incorporating any agreements reached shall be executed if
32 requested by either party. The obligation to bargain does not compel
33 either party to agree to a proposal or to make a concession.

34 In the event of a dispute between an employer and an exclusive
35 bargaining representative over the matters that are terms and
36 conditions of employment, the commission shall decide which items are
37 mandatory subjects for bargaining.

38 **Sec. 3.** RCW 28B.52.030 and 1991 c 238 s 147 are each amended to
39 read as follows:

1 Representatives of an employee organization, which organization
2 shall by secret ballot have won a majority in an election to
3 represent the academic employees within its college district, shall
4 have the right to bargain (~~as defined in RCW 28B.52.020(8)~~).

5 **Sec. 4.** RCW 28B.52.025 and 1987 c 314 s 5 are each amended to
6 read as follows:

7 Employees have the right to self-organization, to form, join, or
8 assist employee organizations, to bargain collectively through
9 representatives of their own choosing, and also have the right to
10 refrain from any or all of these activities (~~except to the extent
11 that employees may be required to make payments to an exclusive
12 bargaining representative or charitable organization under a union
13 security provision authorized in this chapter~~).

14 NEW SECTION. **Sec. 5.** A new section is added to chapter 28B.52
15 RCW to read as follows:

16 (1)(a) An employee's written, electronic, or recorded voice
17 authorization to have the employer deduct membership dues from the
18 employee's salary must be made by the employee to the exclusive
19 bargaining representative. If the employer receives a request for
20 authorization of deductions, the employer shall as soon as
21 practicable forward the request to the exclusive bargaining
22 representative.

23 (b) Upon receiving notice of the employee's authorization from
24 the exclusive bargaining representative, the employer shall deduct
25 from the employee's salary membership dues and remit the amounts to
26 the exclusive bargaining representative.

27 (c) The employee's authorization remains in effect until
28 expressly revoked by the employee in accordance with the terms and
29 conditions of the authorization.

30 (2)(a) An employee's request to revoke authorization for payroll
31 deductions must be in writing and submitted by the employee to the
32 exclusive bargaining representative in accordance with the terms and
33 conditions of the authorization.

34 (b) After the employer receives confirmation from the exclusive
35 bargaining representative that the employee has revoked authorization
36 for deductions, the employer shall end the deduction no later than
37 the second payroll after receipt of the confirmation.

1 (3) The employer shall rely on information provided by the
2 exclusive bargaining representative regarding the authorization and
3 revocation of deductions.

4 **Sec. 6.** RCW 28B.52.045 and 2018 c 247 s 1 are each amended to
5 read as follows:

6 (1) ~~((a) A collective bargaining agreement may include union
7 security provisions, but not a closed shop.~~

8 ~~(b))~~ Upon ~~((written))~~ authorization of an employee within the
9 bargaining unit and after the certification or recognition of the
10 bargaining unit's exclusive bargaining representative, the employer
11 must deduct from the payments to the employee the monthly amount of
12 dues as certified by the secretary of the exclusive bargaining
13 representative and must transmit the same to the treasurer of the
14 exclusive bargaining representative.

15 ~~((c))~~ (2) If the employer and the exclusive bargaining
16 representative of a bargaining unit enter into a collective
17 bargaining agreement that ~~((:~~

18 ~~(i) Includes a union security provision authorized under (a) of
19 this subsection, the employer must enforce the agreement by deducting
20 from the payments to bargaining unit members the dues required for
21 membership in the exclusive bargaining representative, or, for
22 nonmembers thereof, a fee equivalent to the dues; or~~

23 ~~(ii))~~ includes requirements for deductions of other payments
24 ~~((other than the deduction under (c)(i) of this subsection)),~~ the
25 employer must make such deductions upon ~~((written))~~ authorization of
26 the employee.

27 ~~((2) An employee who is covered by a union security provision
28 and who asserts a right of nonassociation based on bona fide
29 religious tenets or teachings of a church or religious body of which
30 such employee is a member shall pay to a nonreligious charity or
31 other charitable organization an amount of money equivalent to the
32 periodic dues and initiation fees uniformly required as a condition
33 of acquiring or retaining membership in the exclusive bargaining
34 representative. The charity shall be agreed upon by the employee and
35 the employee organization to which such employee would otherwise pay
36 the dues and fees. The employee shall furnish written proof that such
37 payments have been made. If the employee and the employee
38 organization do not reach agreement on such matter, the commission
39 shall designate the charitable organization.))~~

1 **Sec. 7.** RCW 41.56.060 and 2005 c 232 s 1 are each amended to
2 read as follows:

3 (1) The commission, after hearing upon reasonable notice, shall
4 decide in each application for certification as an exclusive
5 bargaining representative, the unit appropriate for the purpose of
6 collective bargaining. In determining, modifying, or combining the
7 bargaining unit, the commission shall consider the duties, skills,
8 and working conditions of the public employees; the history of
9 collective bargaining by the public employees and their bargaining
10 representatives; the extent of organization among the public
11 employees; and the desire of the public employees. The commission
12 shall determine the bargaining representative by: (a) Examination of
13 organization membership rolls; (b) comparison of signatures on
14 organization bargaining authorization cards, as provided under
15 section 8 of this act; or (c) conducting an election specifically
16 therefor.

17 (2) For classified employees of school districts and educational
18 service districts:

19 (a) Appropriate bargaining units existing on July 24, 2005, may
20 not be divided into more than one unit without the agreement of the
21 public employer and the certified bargaining representative of the
22 unit; and

23 (b) In making bargaining unit determinations under this section,
24 the commission must consider, in addition to the factors listed in
25 subsection (1) of this section, the avoidance of excessive
26 fragmentation.

27 NEW SECTION. **Sec. 8.** A new section is added to chapter 41.56
28 RCW to read as follows:

29 (1) Except as provided under subsection (2) of this section, if
30 only one employee organization is seeking certification as the
31 exclusive bargaining representative of a bargaining unit for which
32 there is no incumbent exclusive bargaining representative, the
33 commission may determine the question concerning representation by
34 conducting a cross-check comparing the employee organization's
35 membership records or bargaining authorization cards against the
36 employment records of the employer. A determination through a cross-
37 check process may be made upon a showing of interest submitted in
38 support of the exclusive bargaining representative by more than fifty

1 percent of the employees. The commission may adopt rules to implement
2 this section.

3 (2) This section does not apply to those employees under RCW
4 41.56.026, 41.56.028, 41.56.029, and 41.56.510.

5 **Sec. 9.** RCW 41.56.110 and 2018 c 247 s 2 are each amended to
6 read as follows:

7 (1) Upon the (~~written~~) authorization of an employee within the
8 bargaining unit and after the certification or recognition of the
9 bargaining unit's exclusive bargaining representative, the employer
10 shall deduct from the payments to the employee the monthly amount of
11 dues as certified by the secretary of the exclusive bargaining
12 representative and shall transmit the same to the treasurer of the
13 exclusive bargaining representative.

14 (2)(a) An employee's written, electronic, or recorded voice
15 authorization to have the employer deduct membership dues from the
16 employee's salary must be made by the employee to the exclusive
17 bargaining representative. If the employer receives a request for
18 authorization of deductions, the employer shall as soon as
19 practicable forward the request to the exclusive bargaining
20 representative.

21 (b) Upon receiving notice of the employee's authorization from
22 the exclusive bargaining representative, the employer shall deduct
23 from the employee's salary membership dues and remit the amounts to
24 the exclusive bargaining representative.

25 (c) The employee's authorization remains in effect until
26 expressly revoked by the employee in accordance with the terms and
27 conditions of the authorization.

28 (3)(a) An employee's request to revoke authorization for payroll
29 deductions must be in writing and submitted by the employee to the
30 exclusive bargaining representative in accordance with the terms and
31 conditions of the authorization.

32 (b) After the employer receives confirmation from the exclusive
33 bargaining representative that the employee has revoked authorization
34 for deductions, the employer shall end the deduction no later than
35 the second payroll after receipt of the confirmation.

36 (4) The employer shall rely on information provided by the
37 exclusive bargaining representative regarding the authorization and
38 revocation of deductions.

1 (5) If the employer and the exclusive bargaining representative
2 of a bargaining unit enter into a collective bargaining agreement
3 that(~~(~~

4 ~~(a) Includes a union security provision authorized under RCW~~
5 ~~41.56.122, the employer must enforce the agreement by deducting from~~
6 ~~the payments to bargaining unit members the dues required for~~
7 ~~membership in the exclusive bargaining representative, or, for~~
8 ~~nonmembers thereof, a fee equivalent to the dues; or~~

9 ~~(b))~~ includes requirements for deductions of other payments
10 (~~other than the deduction under (a) of this subsection~~), the
11 employer must make such deductions upon (~~written~~) authorization of
12 the employee.

13 **Sec. 10.** RCW 41.56.113 and 2018 c 278 s 29 are each amended to
14 read as follows:

15 (1) This subsection (1) applies only if the state makes the
16 payments directly to a provider.

17 (a) Upon the (~~written~~) authorization of an individual provider
18 who contracts with the department of social and health services, a
19 family child care provider, an adult family home provider, or a
20 language access provider within the bargaining unit and after the
21 certification or recognition of the bargaining unit's exclusive
22 bargaining representative, the state as payor, but not as the
23 employer, shall, subject to (c) of this subsection, deduct from the
24 payments to an individual provider who contracts with the department
25 of social and health services, a family child care provider, an adult
26 family home provider, or a language access provider the monthly
27 amount of dues as certified by the secretary of the exclusive
28 bargaining representative and shall transmit the same to the
29 treasurer of the exclusive bargaining representative.

30 **(b) (i) An employee's written, electronic, or recorded voice**
31 **authorization to have the employer deduct membership dues from the**
32 **employee's salary must be made by the employee to the exclusive**
33 **bargaining representative. If the employer receives a request for**
34 **authorization of deductions, the employer shall as soon as**
35 **practicable forward the request to the exclusive bargaining**
36 **representative.**

37 **(ii) Upon receiving notice of the employee's authorization from**
38 **the exclusive bargaining representative, the employer shall deduct**

1 from the employee's salary membership dues and remit the amounts to
2 the exclusive bargaining representative.

3 (iii) The employee's authorization remains in effect until
4 expressly revoked by the employee in accordance with the terms and
5 conditions of the authorization.

6 (iv) An employee's request to revoke authorization for payroll
7 deductions must be in writing and submitted by the employee to the
8 exclusive bargaining representative in accordance with the terms and
9 conditions of the authorization.

10 (v) After the employer receives confirmation from the exclusive
11 bargaining representative that the employee has revoked authorization
12 for deductions, the employer shall end the deduction no later than
13 the second payroll after receipt of the confirmation.

14 (vi) The employer shall rely on information provided by the
15 exclusive bargaining representative regarding the authorization and
16 revocation of deductions.

17 (vii) If the governor and the exclusive bargaining representative
18 of a bargaining unit of individual providers who contract with the
19 department of social and health services, family child care
20 providers, adult family home providers, or language access providers
21 enter into a collective bargaining agreement that (:

22 ~~(i) Includes a union security provision authorized in RCW~~
23 ~~41.56.122, the state as payor, but not as the employer, shall,~~
24 ~~subject to (c) of this subsection, enforce the agreement by deducting~~
25 ~~from the payments to bargaining unit members the dues required for~~
26 ~~membership in the exclusive bargaining representative, or, for~~
27 ~~nonmembers thereof, a fee equivalent to the dues; or~~

28 ~~(ii))~~ includes requirements for deductions of other payments
29 ~~((other than the deduction under (b)(i) of this subsection)),~~ the
30 state, as payor, but not as the employer, shall, subject to (c) of
31 this subsection, make such deductions upon ~~((written))~~ authorization
32 of the individual provider, family child care provider, adult family
33 home provider, or language access provider.

34 (c)(i) The initial additional costs to the state in making
35 deductions from the payments to individual providers, family child
36 care providers, adult family home providers, and language access
37 providers under this section shall be negotiated, agreed upon in
38 advance, and reimbursed to the state by the exclusive bargaining
39 representative.

1 (ii) The allocation of ongoing additional costs to the state in
2 making deductions from the payments to individual providers, family
3 child care providers, adult family home providers, or language access
4 providers under this section shall be an appropriate subject of
5 collective bargaining between the exclusive bargaining representative
6 and the governor unless prohibited by another statute. If no
7 collective bargaining agreement containing a provision allocating the
8 ongoing additional cost is entered into between the exclusive
9 bargaining representative and the governor, or if the legislature
10 does not approve funding for the collective bargaining agreement as
11 provided in RCW 74.39A.300, 41.56.028, 41.56.029, or 41.56.510, as
12 applicable, the ongoing additional costs to the state in making
13 deductions from the payments to individual providers, family child
14 care providers, adult family home providers, or language access
15 providers under this section shall be negotiated, agreed upon in
16 advance, and reimbursed to the state by the exclusive bargaining
17 representative.

18 ~~((d) The governor and the exclusive bargaining representative of
19 a bargaining unit of family child care providers may not enter into a
20 collective bargaining agreement that contains a union security
21 provision unless the agreement contains a process, to be administered
22 by the exclusive bargaining representative of a bargaining unit of
23 family child care providers, for hardship dispensation for license-
24 exempt family child care providers who are also temporary assistance
25 for needy families recipients or WorkFirst participants.))~~

26 (2) This subsection (2) applies only if the state does not make
27 the payments directly to a language access provider. ~~((a))~~ Upon the
28 ~~((written))~~ authorization of a language access provider within the
29 bargaining unit and after the certification or recognition of the
30 bargaining unit's exclusive bargaining representative, the state
31 shall require through its contracts with third parties that:

32 ~~((i))~~ (a) The monthly amount of dues as certified by the
33 secretary of the exclusive bargaining representative be deducted from
34 the payments to the language access provider and transmitted to the
35 treasurer of the exclusive bargaining representative; and

36 ~~((ii))~~ (b) A record showing that dues have been deducted as
37 specified in (a) ~~((i))~~ of this subsection be provided to the state.

38 ~~((b) If the governor and the exclusive bargaining representative
39 of the bargaining unit of language access providers enter into a
40 collective bargaining agreement that includes a union security~~

1 ~~provision authorized in RCW 41.56.122, the state shall enforce the~~
2 ~~agreement by requiring through its contracts with third parties that:~~

3 ~~(i) The monthly amount of dues required for membership in the~~
4 ~~exclusive bargaining representative as certified by the secretary of~~
5 ~~the exclusive bargaining representative, or, for nonmembers thereof,~~
6 ~~a fee equivalent to the dues, be deducted from the payments to the~~
7 ~~language access provider and transmitted to the treasurer of the~~
8 ~~exclusive bargaining representative; and~~

9 ~~(ii) A record showing that dues or fees have been deducted as~~
10 ~~specified in (a) (i) of this subsection be provided to the state.)~~

11 (3) This subsection (3) applies only to individual providers who
12 contract with the department of social and health services. ((If the
13 governor and the exclusive bargaining representative of a bargaining
14 unit of individual providers enter into a collective bargaining
15 agreement that meets the requirements in subsection (1) (b) (i) or (ii)
16 of this section, and the state as payor, but not as the employer,
17 contracts with a third-party entity to perform its obligations as set
18 forth in those subsections, and that third-party contracts with the
19 exclusive bargaining representative to perform voluntary deductions
20 for individual providers, the exclusive bargaining representative may
21 direct the third-party to make the deductions required by the
22 collective bargaining agreement, at the expense of the exclusive
23 bargaining representative, so long as such deductions by the
24 exclusive bargaining representative do not conflict with any federal
25 or state law.)) The exclusive bargaining representative of individual
26 providers may designate a third-party entity to act as the individual
27 provider's agent in receiving payments from the state to the
28 individual provider, so long as the individual provider has entered
29 into an agency agreement with a third-party entity for the purposes
30 of deducting and remitting voluntary payments to the exclusive
31 bargaining representative. A third-party entity that receives such
32 payments is responsible for making and remitting deductions
33 authorized by the individual provider. The costs of such deductions
34 must be paid by the exclusive bargaining representative.

35 **Sec. 11.** RCW 41.56.122 and 1975 1st ex.s. c 296 s 22 are each
36 amended to read as follows:

37 A collective bargaining agreement may(⇄

38 (1) ~~Contain union security provisions: PROVIDED, That nothing in~~
39 ~~this section shall authorize a closed shop provision: PROVIDED~~

1 ~~FURTHER, That agreements involving union security provisions must~~
2 ~~safeguard the right of nonassociation of public employees based on~~
3 ~~bona fide religious tenets or teachings of a church or religious body~~
4 ~~of which such public employee is a member. Such public employee shall~~
5 ~~pay an amount of money equivalent to regular union dues and~~
6 ~~initiation fee to a nonreligious charity or to another charitable~~
7 ~~organization mutually agreed upon by the public employee affected and~~
8 ~~the bargaining representative to which such public employee would~~
9 ~~otherwise pay the dues and initiation fee. The public employee shall~~
10 ~~furnish written proof that such payment has been made. If the public~~
11 ~~employee and the bargaining representative do not reach agreement on~~
12 ~~such matter, the commission shall designate the charitable~~
13 ~~organization. When there is a conflict between any collective~~
14 ~~bargaining agreement reached by a public employer and a bargaining~~
15 ~~representative on a union security provision and any charter,~~
16 ~~ordinance, rule, or regulation adopted by the public employer or its~~
17 ~~agents, including but not limited to, a civil service commission, the~~
18 ~~terms of the collective bargaining agreement shall prevail.~~

19 ~~(2))~~ provide for binding arbitration of a labor dispute arising
20 from the application or the interpretation of the matters contained
21 in a collective bargaining agreement.

22 **Sec. 12.** RCW 41.59.060 and 2018 c 247 s 3 are each amended to
23 read as follows:

24 (1) Employees shall have the right to self-organization, to form,
25 join, or assist employee organizations, to bargain collectively
26 through representatives of their own choosing, and shall also have
27 the right to refrain from any or all of such activities ~~((except to~~
28 ~~the extent that employees may be required to pay a fee to any~~
29 ~~employee organization under an agency shop agreement authorized in~~
30 ~~this chapter))~~.

31 (2) (a) Upon ~~((written))~~ authorization of an employee within the
32 bargaining unit and after the certification or recognition of the
33 bargaining unit's exclusive bargaining representative, the employer
34 must deduct from the payments to the employee the monthly amount of
35 dues as certified by the secretary of the exclusive bargaining
36 representative and must transmit the same to the treasurer of the
37 exclusive bargaining representative.

38 (b) An employee's written, electronic, or recorded voice
39 authorization to have the employer deduct membership dues from the

1 employee's salary must be made by the employee to the exclusive
2 bargaining representative. If the employer receives a request for
3 authorization of deductions, the employer shall as soon as
4 practicable forward the request to the exclusive bargaining
5 representative.

6 (c) Upon receiving notice of the employee's authorization from
7 the exclusive bargaining representative, the employer shall deduct
8 from the employee's salary membership dues and remit the amounts to
9 the exclusive bargaining representative.

10 (d) The employee's authorization remains in effect until
11 expressly revoked by the employee in accordance with the terms and
12 conditions of the authorization.

13 (e) An employee's request to revoke authorization for payroll
14 deductions must be in writing and submitted by the employee to the
15 exclusive bargaining representative in accordance with the terms and
16 conditions of the authorization.

17 (f) After the employer receives confirmation from the exclusive
18 bargaining representative that the employee has revoked authorization
19 for deductions, the employer shall end the deduction no later than
20 the second payroll after receipt of the confirmation.

21 (g) The employer shall rely on information provided by the
22 exclusive bargaining representative regarding the authorization and
23 revocation of deductions.

24 (3) If the employer and the exclusive bargaining representative
25 of a bargaining unit enter into a collective bargaining agreement
26 that ((÷

27 ~~(i) Includes a union security provision authorized under RCW~~
28 ~~41.59.100, the employer must enforce the agreement by deducting from~~
29 ~~the payments to bargaining unit members the dues required for~~
30 ~~membership in the exclusive bargaining representative, or, for~~
31 ~~nonmembers thereof, a fee equivalent to the dues; or~~

32 ~~(ii))~~ includes requirements for deductions of other payments
33 ~~((other than the deduction under (b) (i) of this subsection)),~~ the
34 employer must make such deductions upon ~~((written))~~ authorization of
35 the employee.

36 **Sec. 13.** RCW 41.76.020 and 2002 c 356 s 7 are each amended to
37 read as follows:

38 The commission shall certify exclusive bargaining representatives
39 in accordance with the procedures specified in this section.

1 (1) No question concerning representation may be raised within
2 one year following issuance of a certification under this section.

3 (2) If there is a valid collective bargaining agreement in
4 effect, no question concerning representation may be raised except
5 during the period not more than ninety nor less than sixty days prior
6 to the expiration date of the agreement: PROVIDED, That in the event
7 a valid collective bargaining agreement, together with any renewals
8 or extensions thereof, has been or will be in existence for more than
9 three years, then a question concerning representation may be raised
10 not more than ninety nor less than sixty days prior to the third
11 anniversary date or any subsequent anniversary date of the agreement;
12 and if the exclusive bargaining representative is removed as the
13 result of such procedure, the collective bargaining agreement shall
14 be deemed to be terminated as of the date of the certification or the
15 anniversary date following the filing of the petition, whichever is
16 later.

17 (3) An employee organization seeking certification as exclusive
18 bargaining representative of a bargaining unit, or faculty members
19 seeking decertification of their exclusive bargaining representative,
20 must make a confidential showing to the commission of credible
21 evidence demonstrating that at least thirty percent of the faculty in
22 the bargaining unit are in support of the petition. The petition must
23 indicate the name, address, and telephone number of any employee
24 organization known to claim an interest in the bargaining unit.

25 (4) A petition filed by an employer must be supported by credible
26 evidence demonstrating the good faith basis on which the employer
27 claims the existence of a question concerning the representation of
28 its faculty.

29 (5) Any employee organization which makes a confidential showing
30 to the commission of credible evidence demonstrating that it has the
31 support of at least ten percent of the faculty in the bargaining unit
32 involved is entitled to intervene in proceedings under this section
33 and to have its name listed as a choice on the ballot in an election
34 conducted by the commission.

35 (6) The commission shall determine any question concerning
36 representation by conducting a secret ballot election among the
37 faculty members in the bargaining unit, except under the following
38 circumstances:

39 (a) If only one employee organization is seeking certification as
40 exclusive bargaining representative of a bargaining unit for which

1 there is no incumbent exclusive bargaining representative, the
2 commission may (~~(, upon the concurrence of the employer and the~~
3 ~~employee organization,)~~) determine the question concerning
4 representation by conducting a cross-check comparing the employee
5 organization's membership records or bargaining authorization cards
6 against the employment records of the employer. A determination
7 through a cross-check process may be made upon a showing of interest
8 submitted in support of the exclusive bargaining representative by
9 more than fifty percent of the employees; or

10 (b) If the commission determines that a serious unfair labor
11 practice has been committed which interfered with the election
12 process and precludes the holding of a fair election, the commission
13 may determine the question concerning representation by conducting a
14 cross-check comparing the employee organization's membership records
15 or bargaining authorization cards against the employment records of
16 the employer.

17 (c) The commission may adopt rules to implement this subsection
18 (6).

19 (7) The representation election ballot must contain a choice for
20 each employee organization qualifying under subsection (3) or (5) of
21 this section, together with a choice for no representation. The
22 representation election shall be determined by the majority of the
23 valid ballots cast. If there are three or more choices on the ballot
24 and none of the three or more choices receives a majority of the
25 valid ballots cast, a runoff election shall be conducted between the
26 two choices receiving the highest and second highest numbers of
27 votes.

28 (8) The commission shall certify as the exclusive bargaining
29 representative the employee organization that has been determined to
30 represent a majority of faculty members in a bargaining unit.

31 **Sec. 14.** RCW 41.76.045 and 2018 c 247 s 4 are each amended to
32 read as follows:

33 (1) (a) (~~(A collective bargaining agreement may include union~~
34 ~~security provisions, but not a closed shop.~~

35 ~~(b))~~) Upon ((written)) authorization of an employee within the
36 bargaining unit and after the certification or recognition of the
37 bargaining unit's exclusive bargaining representative, the employer
38 must deduct from the payments to the employee the monthly amount of
39 dues as certified by the secretary of the exclusive bargaining

1 representative and must transmit the same to the treasurer of the
2 exclusive bargaining representative.

3 ~~((e))~~ (b) An employee's written, electronic, or recorded voice
4 authorization to have the employer deduct membership dues from the
5 employee's salary must be made by the employee to the exclusive
6 bargaining representative. If the employer receives a request for
7 authorization of deductions, the employer shall as soon as
8 practicable forward the request to the exclusive bargaining
9 representative.

10 (c) Upon receiving notice of the employee's authorization from
11 the exclusive bargaining representative, the employer shall deduct
12 from the employee's salary membership dues and remit the amounts to
13 the exclusive bargaining representative.

14 (d) The employee's authorization remains in effect until
15 expressly revoked by the employee in accordance with the terms and
16 conditions of the authorization.

17 (e) An employee's request to revoke authorization for payroll
18 deductions must be in writing and submitted by the employee to the
19 exclusive bargaining representative in accordance with the terms and
20 conditions of the authorization.

21 (f) After the employer receives confirmation from the exclusive
22 bargaining representative that the employee has revoked authorization
23 for deductions, the employer shall end the deduction effective on the
24 first payroll after receipt of the confirmation.

25 (g) The employer shall rely on information provided by the
26 exclusive bargaining representative regarding the authorization and
27 revocation of deductions.

28 (2) If the employer and the exclusive bargaining representative
29 of a bargaining unit enter into a collective bargaining agreement
30 that ~~((÷~~

31 ~~(i) Includes a union security provision authorized under (a) of~~
32 ~~this subsection, the employer must enforce the agreement by deducting~~
33 ~~from the payments to bargaining unit members the dues required for~~
34 ~~membership in the exclusive bargaining representative, or, for~~
35 ~~nonmembers thereof, a fee equivalent to the dues; or~~

36 ~~(ii))~~ includes requirements for deductions of other payments
37 ((other than the deduction under (c)(i) of this subsection)), the
38 employer must make such deductions upon ((written)) authorization of
39 the employee.

1 (~~(2) A faculty member who is covered by a union security~~
2 ~~provision and who asserts a right of nonassociation based on bona~~
3 ~~fide religious tenets or teachings of a church or religious body of~~
4 ~~which such faculty member is a member shall pay to a nonreligious~~
5 ~~charity or other charitable organization an amount of money~~
6 ~~equivalent to the periodic dues and initiation fees uniformly~~
7 ~~required as a condition of acquiring or retaining membership in the~~
8 ~~exclusive bargaining representative. The charity shall be agreed upon~~
9 ~~by the faculty member and the employee organization to which such~~
10 ~~faculty member would otherwise pay the dues and fees. The faculty~~
11 ~~member shall furnish written proof that such payments have been made.~~
12 ~~If the faculty member and the employee organization do not reach~~
13 ~~agreement on such matter, the dispute shall be submitted to the~~
14 ~~commission for determination.))~~)

15 **Sec. 15.** RCW 41.80.050 and 2002 c 354 s 306 are each amended to
16 read as follows:

17 Except as may be specifically limited by this chapter, employees
18 shall have the right to self-organization, to form, join, or assist
19 employee organizations, and to bargain collectively through
20 representatives of their own choosing for the purpose of collective
21 bargaining free from interference, restraint, or coercion. Employees
22 shall also have the right to refrain from any or all such activities
23 (~~except to the extent that they may be required to pay a fee to an~~
24 ~~exclusive bargaining representative under a union security provision~~
25 ~~authorized by this chapter)).~~

26 NEW SECTION. **Sec. 16.** A new section is added to chapter 41.80
27 RCW to read as follows:

28 If only one employee organization is seeking certification as
29 exclusive bargaining representative of a bargaining unit for which
30 there is no incumbent exclusive bargaining representative, the
31 commission may determine the question concerning representation by
32 conducting a cross-check comparing the employee organization's
33 membership records or bargaining authorization cards against the
34 employment records of the employer. A determination through a cross-
35 check process may be made upon a showing of interest submitted in
36 support of the exclusive bargaining representative by more than fifty
37 percent of the employees. The commission may adopt rules to implement
38 this section.

1 **Sec. 17.** RCW 41.80.080 and 2002 c 354 s 309 are each amended to
2 read as follows:

3 (1) The commission shall determine all questions pertaining to
4 representation and shall administer all elections and cross-check
5 procedures, and be responsible for the processing and adjudication of
6 all disputes that arise as a consequence of elections and cross-check
7 procedures. The commission shall adopt rules that provide for at
8 least the following:

9 (a) Secret balloting;

10 (b) Consulting with employee organizations;

11 (c) Access to lists of employees, job classification, work
12 locations, and home mailing addresses;

13 (d) Absentee voting;

14 (e) Procedures for the greatest possible participation in voting;

15 (f) Campaigning on the employer's property during working hours;

16 and

17 (g) Election observers.

18 (2)(a) If an employee organization has been certified as the
19 exclusive bargaining representative of the employees of a bargaining
20 unit, the employee organization may act for and negotiate master
21 collective bargaining agreements that will include within the
22 coverage of the agreement all employees in the bargaining unit as
23 provided in RCW 41.80.010(2)(a). However, if a master collective
24 bargaining agreement is in effect for the exclusive bargaining
25 representative, it shall apply to the bargaining unit for which the
26 certification has been issued. Nothing in this section requires the
27 parties to engage in new negotiations during the term of that
28 agreement.

29 (b) This subsection (2) does not apply to exclusive bargaining
30 representatives who represent employees of institutions of higher
31 education.

32 (3) The certified exclusive bargaining representative shall be
33 responsible for representing the interests of all the employees in
34 the bargaining unit. This section shall not be construed to limit an
35 exclusive representative's right to exercise its discretion to refuse
36 to process grievances of employees that are unmeritorious.

37 (4) No question concerning representation may be raised if:

38 (a) Fewer than twelve months have elapsed since the last
39 certification or election; or

1 (b) A valid collective bargaining agreement exists covering the
2 unit, except for that period of no more than one hundred twenty
3 calendar days nor less than ninety calendar days before the
4 expiration of the contract.

5 **Sec. 18.** RCW 41.80.100 and 2018 c 247 s 5 are each amended to
6 read as follows:

7 ~~(1) ((A collective bargaining agreement may contain a union
8 security provision requiring as a condition of employment the
9 payment, no later than the thirtieth day following the beginning of
10 employment or July 1, 2004, whichever is later, of an agency shop fee
11 to the employee organization that is the exclusive bargaining
12 representative for the bargaining unit in which the employee is
13 employed. The amount of the fee shall be equal to the amount required
14 to become a member in good standing of the employee organization.
15 Each employee organization shall establish a procedure by which any
16 employee so requesting may pay a representation fee no greater than
17 the part of the membership fee that represents a pro rata share of
18 expenditures for purposes germane to the collective bargaining
19 process, to contract administration, or to pursuing matters affecting
20 wages, hours, and other conditions of employment.~~

21 ~~(2) An employee who is covered by a union security provision and
22 who asserts a right of nonassociation based on bona fide religious
23 tenets, or teachings of a church or religious body of which the
24 employee is a member, shall, as a condition of employment, make
25 payments to the employee organization, for purposes within the
26 program of the employee organization as designated by the employee
27 that would be in harmony with his or her individual conscience. The
28 amount of the payments shall be equal to the periodic dues and fees
29 uniformly required as a condition of acquiring or retaining
30 membership in the employee organization minus any included monthly
31 premiums for insurance programs sponsored by the employee
32 organization. The employee shall not be a member of the employee
33 organization but is entitled to all the representation rights of a
34 member of the employee organization.~~

35 ~~(3)(a))~~ Upon ~~((written))~~ authorization of an employee within the
36 bargaining unit and after the certification or recognition of the
37 bargaining unit's exclusive bargaining representative, the employer
38 must deduct from the payments to the employee the monthly amount of
39 dues as certified by the secretary of the exclusive bargaining

1 representative and must transmit the same to the treasurer of the
2 exclusive bargaining representative.

3 ~~((b))~~ (2)(a) If the employer and the exclusive bargaining
4 representative of a bargaining unit enter into a collective
5 bargaining agreement that(~~+~~

6 ~~(i) Includes a union security provision authorized under~~
7 ~~subsection (1) of this section, the employer must enforce the~~
8 ~~agreement by deducting from the payments to bargaining unit members~~
9 ~~the dues required for membership in the exclusive bargaining~~
10 ~~representative, or, for nonmembers thereof, a fee equivalent to the~~
11 ~~dues; or~~

12 ~~(ii))~~ includes requirements for deductions of other payments
13 ~~((other than the deduction under (b)(i) of this subsection)),~~ the
14 employer must make such deductions upon ~~((written))~~ authorization of
15 the employee.

16 ~~((4) Employee organizations that before July 1, 2004, were~~
17 ~~entitled to the benefits of this section shall continue to be~~
18 ~~entitled to these benefits.))~~ (b) An employee's written, electronic,
19 or recorded voice authorization to have the employer deduct
20 membership dues from the employee's salary must be made by the
21 employee to the exclusive bargaining representative. If the employer
22 receives a request for authorization of deductions, the employer
23 shall as soon as practicable forward the request to the exclusive
24 bargaining representative.

25 (c) Upon receiving notice of the employee's authorization, the
26 employer shall deduct from the employee's salary membership dues and
27 remit the amounts to the exclusive bargaining representative.

28 (d) The employee's authorization remains in effect until
29 expressly revoked by the employee in accordance with the terms and
30 conditions of the authorization.

31 (e) An employee's request to revoke authorization for payroll
32 deductions must be in writing and submitted by the employee to the
33 exclusive bargaining representative in accordance with the terms and
34 conditions of the authorization.

35 (f) After the employer receives confirmation from the exclusive
36 bargaining representative that the employee has revoked authorization
37 for deductions, the employer shall end the deduction no later than
38 the second payroll after receipt of the confirmation.

1 (g) The employer shall rely on information provided by the
2 exclusive bargaining representative regarding the authorization and
3 revocation of deductions.

4 **Sec. 19.** RCW 47.64.090 and 2011 1st sp.s. c 16 s 25 are each
5 amended to read as follows:

6 (1) Except as provided in RCW 47.60.656 and subsections (2) and
7 (4) of this section, or as provided in RCW 36.54.130 and subsection
8 (3) of this section, if any party assumes the operation and
9 maintenance of any ferry or ferry system by rent, lease, or charter
10 from the department of transportation, such party shall assume and be
11 bound by all the provisions herein and any agreement or contract for
12 such operation of any ferry or ferry system entered into by the
13 department shall provide that the wages to be paid, hours of
14 employment, working conditions, and seniority rights of employees
15 will be established by the commission in accordance with the terms
16 and provisions of this chapter and it shall further provide that all
17 labor disputes shall be adjudicated in accordance with chapter 47.64
18 RCW.

19 (2) If a public transportation benefit area meeting the
20 requirements of RCW 36.57A.200 has voter approval to operate
21 passenger-only ferry service, it may enter into an agreement with
22 Washington State Ferries to rent, lease, or purchase passenger-only
23 vessels, related equipment, or terminal space for purposes of loading
24 and unloading the passenger-only ferry. Charges for the vessels,
25 equipment, and space must be fair market value taking into account
26 the public benefit derived from the ferry service. A benefit area or
27 subcontractor of that benefit area that qualifies under this
28 subsection is not subject to the restrictions of subsection (1) of
29 this section, but is subject to:

30 (a) The terms of those collective bargaining agreements that it
31 or its subcontractors negotiate with the exclusive bargaining
32 representatives of its or its subcontractors' employees under chapter
33 41.56 RCW or the National Labor Relations Act, as applicable;

34 (b) Unless otherwise prohibited by federal or state law, a
35 requirement that the benefit area and any contract with its
36 subcontractors, give preferential hiring to former employees of the
37 department of transportation who separated from employment with the
38 department because of termination of the ferry service by the state
39 of Washington; and

1 (c) Unless otherwise prohibited by federal or state law, a
2 requirement that the benefit area and any contract with its
3 subcontractors, on any questions concerning representation of
4 employees for collective bargaining purposes, may be determined by
5 conducting a cross-check comparing an employee organization's
6 membership records or bargaining authorization cards against the
7 employment records of the employer. A determination through a cross-
8 check process may be made upon a showing of interest submitted in
9 support of the exclusive bargaining representative by more than fifty
10 percent of the employees.

11 (3) If a ferry district is formed under RCW 36.54.110 to operate
12 passenger-only ferry service, it may enter into an agreement with
13 Washington State Ferries to rent, lease, or purchase vessels, related
14 equipment, or terminal space for purposes of loading and unloading
15 the ferry. Charges for the vessels, equipment, and space must be fair
16 market value taking into account the public benefit derived from the
17 ferry service. A ferry district or subcontractor of that district
18 that qualifies under this subsection is not subject to the
19 restrictions of subsection (1) of this section, but is subject to:

20 (a) The terms of those collective bargaining agreements that it
21 or its subcontractors negotiate with the exclusive bargaining
22 representatives of its or its subcontractors' employees under chapter
23 41.56 RCW or the national labor relations act, as applicable;

24 (b) Unless otherwise prohibited by federal or state law, a
25 requirement that the ferry district and any contract with its
26 subcontractors, give preferential hiring to former employees of the
27 department of transportation who separated from employment with the
28 department because of termination of the ferry service by the state
29 of Washington; and

30 (c) Unless otherwise prohibited by federal or state law, a
31 requirement that the ferry district and any contract with its
32 subcontractors, on any questions concerning representation of
33 employees for collective bargaining purposes, may be determined by
34 conducting a cross-check comparing an employee organization's
35 membership records or bargaining authorization cards against the
36 employment records of the employer.

37 (4) The department of transportation shall make its terminal,
38 dock, and pier space available to private operators of passenger-only
39 ferries if the space can be made available without limiting the
40 operation of car ferries operated by the department. These private

1 operators are not bound by the provisions of subsection (1) of this
2 section. Charges for the equipment and space must be fair market
3 value taking into account the public benefit derived from the
4 passenger-only ferry service.

5 **Sec. 20.** RCW 47.64.160 and 1983 c 15 s 7 are each amended to
6 read as follows:

7 (1) A collective bargaining agreement may include ((union
8 security provisions including an agency shop, but not a union or
9 closed shop. If an agency shop provision is agreed to,)) a provision
10 for members of the bargaining unit to authorize the deduction of
11 membership dues from their salary, and the employer shall enforce it
12 by deducting from the salary payments to members of the bargaining
13 unit the dues required of membership ((in the bargaining
14 representative, or, for nonmembers thereof, a fee equivalent to such
15 dues. All union security provisions shall safeguard the right of
16 nonassociation of employees based on bona fide religious tenets or
17 teachings of a church or religious body of which such employee is a
18 member. Such employee shall pay an amount of money equivalent to
19 regular dues and fees to a nonreligious charity or to another
20 charitable organization mutually agreed upon by the employee affected
21 and the bargaining representative to which such employee would
22 otherwise pay the dues and fees. The employer shall furnish written
23 proof that such payment has been made. If the employer and the
24 bargaining representative do not reach agreement on such matter, the
25 commission shall designate the charitable organization)). An
26 employee's written, electronic, or recorded voice authorization to
27 have the employer deduct membership dues from the employee's salary
28 must be made by the employee to the exclusive bargaining
29 representative. If the employer receives a request for authorization
30 of deductions, the employer shall as soon as practicable forward the
31 request to the exclusive bargaining representative.

32 (2) (a) Upon receiving notice of the employee's authorization from
33 the exclusive bargaining representative, the employer shall deduct
34 from the employee's salary membership dues and remit the amounts to
35 the exclusive bargaining representative.

36 (b) The employee's authorization remains in effect until
37 expressly revoked by the employee in accordance with the terms and
38 conditions of the authorization.

1 (c) An employee's request to revoke authorization for payroll
2 deductions must be in writing and submitted by the employee to the
3 exclusive bargaining representative in accordance with the terms and
4 conditions of the authorization.

5 (d) After the employer receives confirmation from the exclusive
6 bargaining representative that the employee has revoked authorization
7 for deductions, the employer shall end the deduction no later than
8 the second payroll after receipt of the confirmation.

9 (e) The employer shall rely on information provided by the
10 exclusive bargaining representative regarding the authorization and
11 revocation of deductions.

12 NEW SECTION. Sec. 21. A new section is added to chapter 49.39
13 RCW to read as follows:

14 If only one employee organization is seeking certification as
15 exclusive bargaining representative of a bargaining unit for which
16 there is no incumbent exclusive bargaining representative, the
17 commission may determine the question concerning representation by
18 conducting a cross-check comparing the employee organization's
19 membership records or bargaining authorization cards against the
20 employment records of the employer. A determination through a cross-
21 check process may be made upon a showing of interest submitted in
22 support of the exclusive bargaining representative by more than fifty
23 percent of the employees. The commission may adopt rules to implement
24 this section.

25 **Sec. 22.** RCW 49.39.080 and 2018 c 247 s 6 are each amended to
26 read as follows:

27 (1) Upon the (~~written~~) authorization of an employee within the
28 bargaining unit and after the certification or recognition of the
29 bargaining unit's exclusive bargaining representative, the employer
30 must deduct from the payments to the employee the monthly amount of
31 dues as certified by the secretary of the exclusive bargaining
32 representative and must transmit the same to the treasurer of the
33 exclusive bargaining representative.

34 (2)(a) An employee's written, electronic, or recorded voice
35 authorization to have the employer deduct membership dues from the
36 employee's salary must be made by the employee to the exclusive
37 bargaining representative. If the employer receives a request for
38 authorization of deductions, the employer shall as soon as

1 practicable forward the request to the exclusive bargaining
2 representative.

3 (b) Upon receiving notice of the employee's authorization from
4 the exclusive bargaining representative, the employer shall deduct
5 from the employee's salary membership dues and remit the amounts to
6 the exclusive bargaining representative.

7 (c) The employee's authorization remains in effect until
8 expressly revoked by the employee in accordance with the terms and
9 conditions of the authorization.

10 (d) An employee's request to revoke authorization for payroll
11 deductions must be in writing and submitted by the employee to the
12 exclusive bargaining representative in accordance with the terms and
13 conditions of the authorization.

14 (e) After the employer receives confirmation from the exclusive
15 bargaining representative that the employee has revoked authorization
16 for deductions, the employer shall end the deduction no later than
17 the second payroll after receipt of the confirmation.

18 (f) The employer shall rely on information provided by the
19 exclusive bargaining representative regarding the authorization and
20 revocation of deductions.

21 (3) If the employer and the exclusive bargaining representative
22 of a bargaining unit enter into a collective bargaining agreement
23 that ((÷

24 ~~(a) Includes a union security provision authorized under RCW~~
25 ~~49.39.090, the employer must enforce the agreement by deducting from~~
26 ~~the payments to bargaining unit members the dues required for~~
27 ~~membership in the exclusive bargaining representative, or, for~~
28 ~~nonmembers thereof, a fee equivalent to the dues; or~~

29 ~~(b))~~ includes requirements for deductions of other payments
30 ~~((other than the deduction under (a) of this subsection)), the~~
31 employer must make such deductions upon ~~((written))~~ authorization of
32 the employee.

33 **Sec. 23.** RCW 49.39.090 and 2010 c 6 s 10 are each amended to
34 read as follows:

35 A collective bargaining agreement may((÷

36 ~~(1) Contain union security provisions. However, nothing in this~~
37 ~~section authorizes a closed shop provision. Agreements involving~~
38 ~~union security provisions must safeguard the right of nonassociation~~
39 ~~of employees based on bona fide religious tenets or teachings of a~~

1 church or religious body of which the symphony musician is a member.
2 The symphony musician must pay an amount of money equivalent to
3 regular union dues and initiation fee to a nonreligious charity or to
4 another charitable organization mutually agreed upon by the symphony
5 musician affected and the bargaining representative to which the
6 symphony musician would otherwise pay the dues and initiation fee.
7 The symphony musician must furnish written proof that the payment has
8 been made. If the symphony musician and the bargaining representative
9 do not reach agreement on this matter, the commission must designate
10 the charitable organization;

11 (2)) provide for binding arbitration of a labor dispute arising
12 from the application or the interpretation of the matters contained
13 in a collective bargaining agreement.

14 **Sec. 24.** RCW 53.18.050 and 1967 c 101 s 5 are each amended to
15 read as follows:

16 A labor agreement signed by a port district may contain:

17 (1) Provisions that the employee organization chosen by a
18 majority of the employees in a grouping or unit will be recognized as
19 the representative of all employees in the classification included in
20 such grouping or unit;

21 (2) Maintenance of membership provisions including dues (~~check-~~
22 ~~off~~) cross-check arrangements as provided in section 8 of this act;
23 and

24 (3) Provisions providing for binding arbitration, the expenses
25 being equally borne by the parties, in matters of contract
26 interpretation and the settlement of jurisdictional disputes.

27 NEW SECTION. **Sec. 25.** RCW 41.59.100 (Union security provisions—
28 Scope—Agency shop provision, collection of dues or fees) and 1975 1st
29 ex.s. c 288 s 11 are each repealed.

30 NEW SECTION. **Sec. 26.** If any provision of this act or its
31 application to any person or circumstance is held invalid, the
32 remainder of the act or the application of the provision to other
33 persons or circumstances is not affected."

ADOPTED AS AMENDED 04/11/2019

1 On page 1, line 4 of the title, after "fees;" strike the
2 remainder of the title and insert "amending RCW 28B.52.020,
3 28B.52.030, 28B.52.025, 28B.52.045, 41.56.060, 41.56.110, 41.56.113,
4 41.56.122, 41.59.060, 41.76.020, 41.76.045, 41.80.050, 41.80.080,
5 41.80.100, 47.64.090, 47.64.160, 49.39.080, 49.39.090, and 53.18.050;
6 adding a new section to chapter 4.24 RCW; adding a new section to
7 chapter 28B.52 RCW; adding a new section to chapter 41.56 RCW; adding
8 a new section to chapter 41.80 RCW; adding a new section to chapter
9 49.39 RCW; and repealing RCW 41.59.100."

EFFECT: Provides that an employer, upon receiving confirmation that an employee has revoked the authorization for dues deductions, must end the deduction no later than the second payroll, rather than on the first payroll.

--- END ---