

SSB 5623 - S AMD 224
By Senator King

NOT ADOPTED 03/12/2019

1 Beginning on page 4, line 35, strike all of sections 5 and 6 and
2 insert the following:

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

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

7 ~~(b) Upon 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 must 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 must transmit the same to the treasurer of the
13 exclusive bargaining representative.~~

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

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

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

25 ~~(2) An employee who is covered by a union security provision and
26 who asserts a right of nonassociation based on bona fide religious
27 tenets or teachings of a church or religious body of which such
28 employee is a member shall pay to a nonreligious charity or other
29 charitable organization an amount of money equivalent to the periodic
30 dues and initiation fees uniformly required as a condition of
31 acquiring or retaining membership in the exclusive bargaining
32 representative. The charity shall be agreed upon by the employee and~~

1 ~~the employee organization to which such employee would otherwise pay~~
2 ~~the dues and fees. The employee shall furnish written proof that such~~
3 ~~payments have been made. If the employee and the employee~~
4 ~~organization do not reach agreement on such matter, the commission~~
5 ~~shall designate the charitable organization.)~~ After the
6 certification of the bargaining unit's exclusive bargaining
7 representative, the employer must deduct from employee payments the
8 monthly amount of dues as certified by the exclusive bargaining
9 representative and must transmit the same to the exclusive bargaining
10 representative. The employer must only make and transmit such
11 deductions upon receipt of an employee's authorization that:

12 (a) Is made in writing;

13 (b) Is dated and signed with the employee's legally valid
14 signature;

15 (c) Clearly and specifically acknowledges and waives the
16 employee's constitutional right to not pay any union dues or fees;
17 and

18 (d) Is given freely and affirmatively and not obtained through
19 coercive or deceptive means.

20 (2) When an employee provides the employer with a written request
21 to cease deducting exclusive bargaining representative dues, the
22 employer must cease the deductions within thirty days.

23 (3) The employer must maintain all copies of an employee's dues
24 deduction authorizations and cancellations provided while the
25 employee worked in the bargaining unit for at least three years after
26 the employee has ceased to be employed in the bargaining unit."

27 Renumber the remaining sections consecutively and correct any
28 internal references accordingly.

29 Beginning on page 7, line 27, strike all of sections 9 and 10 and
30 insert the following:

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

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

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

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

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

11 ~~(b) Includes requirements for deductions of payments other than~~
12 ~~the deduction under (a) of this subsection, the employer must make~~
13 ~~such deductions upon written authorization of the employee.) After~~
14 ~~the certification of the bargaining unit's exclusive bargaining~~
15 ~~representative, the employer must deduct from employee payments the~~
16 ~~monthly amount of dues as certified by the exclusive bargaining~~
17 ~~representative and must transmit the same to the exclusive bargaining~~
18 ~~representative. The employer must only make and transmit such~~
19 ~~deductions upon receipt of an employee's authorization that:~~

20 (a) Is made in writing;

21 (b) Is dated and signed with the employee's legally valid
22 signature;

23 (c) Clearly and specifically acknowledges and waives the
24 employee's constitutional right to not pay any union dues or fees;
25 and

26 (d) Is given freely and affirmatively and not obtained through
27 coercive or deceptive means.

28 (2) When an employee provides the employer with a written request
29 to cease deducting exclusive bargaining representative dues, the
30 employer must cease the deductions within thirty days.

31 (3) The employer must maintain all copies of an employee's dues
32 deduction authorizations and cancellations provided while the
33 employee worked in the bargaining unit for at least three years after
34 the employee has ceased to be employed in the bargaining unit.

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

37 (1) This ~~((subsection (1)))~~ section applies only if the state
38 makes the payments directly to a family child care provider.

1 ~~((a) Upon the written authorization of an individual provider~~
2 ~~who contracts with the department of social and health services, a~~
3 ~~family child care provider, an adult family home provider, or a~~
4 ~~language access provider within the bargaining unit and after the~~
5 ~~certification or recognition of the bargaining unit's exclusive~~
6 ~~bargaining representative, the state as payor, but not as the~~
7 ~~employer, shall, subject to (c) of this subsection, deduct from the~~
8 ~~payments to an individual provider who contracts with the department~~
9 ~~of social and health services, a family child care provider, an adult~~
10 ~~family home provider, or a language access provider the monthly~~
11 ~~amount of dues as certified by the secretary of the exclusive~~
12 ~~bargaining representative and shall transmit the same to the~~
13 ~~treasurer of the exclusive bargaining representative.~~

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

19 ~~(i) Includes a union security provision authorized in RCW~~
20 ~~41.56.122, the state as payor, but not as the employer, shall,~~
21 ~~subject to (c) of this subsection, enforce the agreement by deducting~~
22 ~~from the payments to bargaining unit members the dues required for~~
23 ~~membership in the exclusive bargaining representative, or, for~~
24 ~~nonmembers thereof, a fee equivalent to the dues; or~~

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

31 ~~(c)(i))~~ (2) After the certification of the bargaining unit's
32 exclusive bargaining representative, the employer must deduct from
33 family child care provider payments the monthly amount of dues as
34 certified by the exclusive bargaining representative and must
35 transmit the same to the exclusive bargaining representative. The
36 employer will only make and transmit such deductions upon receipt of
37 a family child care provider's authorization that:

38 (a) Is made in writing;

39 (b) Is dated and signed with the employee's legally valid
40 signature;

1 (c) Clearly and specifically acknowledges and waives the
2 employee's constitutional right to not pay any union dues or fees;
3 and

4 (d) Is given freely and affirmatively and not obtained through
5 coercive or deceptive means.

6 (3) When a family child care provider provides the employer with
7 a written request to cease deducting exclusive bargaining
8 representative dues, the employer must cease the deductions within
9 thirty days.

10 (4) The employer must maintain all copies of a family child care
11 provider's dues deduction authorizations and cancellations provided
12 while the provider worked in the bargaining unit for at least three
13 years after the provider has ceased to be employed in the bargaining
14 unit.

15 (5)(a) The initial additional costs to the state in making
16 deductions from the payments to ((individual providers,)) family
17 child care providers((, adult family home providers, and language
18 access providers)) under this section shall be negotiated, agreed
19 upon in advance, and reimbursed to the state by the exclusive
20 bargaining representative.

21 ~~((ii))~~ (b) The allocation of ongoing additional costs to the
22 state in making deductions from the payments to ((individual
23 providers,)) family child care providers((, adult family home
24 providers, or language access providers)) under this section shall be
25 an appropriate subject of collective bargaining between the exclusive
26 bargaining representative and the governor unless prohibited by
27 another statute. If no collective bargaining agreement containing a
28 provision allocating the ongoing additional cost is entered into
29 between the exclusive bargaining representative and the governor, or
30 if the legislature does not approve funding for the collective
31 bargaining agreement as provided in RCW ((74.39A.300,)) 41.56.028((,
32 41.56.029, or 41.56.510, as applicable)), the ongoing additional
33 costs to the state in making deductions from the payments to
34 ((individual providers,)) family child care providers((, adult family
35 home providers,)) or language access providers under this section
36 shall be negotiated, agreed upon in advance, and reimbursed to the
37 state by the exclusive bargaining representative.

38 ~~((d) The governor and the exclusive bargaining representative of~~
39 ~~a bargaining unit of family child care providers may not enter into a~~
40 ~~collective bargaining agreement that contains a union security~~

1 ~~provision unless the agreement contains a process, to be administered~~
2 ~~by the exclusive bargaining representative of a bargaining unit of~~
3 ~~family child care providers, for hardship dispensation for license-~~
4 ~~exempt family child care providers who are also temporary assistance~~
5 ~~for needy families recipients or WorkFirst participants.~~

6 ~~(2) This subsection (2) applies only if the state does not make~~
7 ~~the payments directly to a language access provider.~~

8 ~~(a) Upon the written authorization of a language access provider~~
9 ~~within the bargaining unit and after the certification or recognition~~
10 ~~of the bargaining unit's exclusive bargaining representative, the~~
11 ~~state shall require through its contracts with third parties that:~~

12 ~~(i) The monthly amount of dues as certified by the secretary of~~
13 ~~the exclusive bargaining representative be deducted from the payments~~
14 ~~to the language access provider and transmitted to the treasurer of~~
15 ~~the exclusive bargaining representative; and~~

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

18 ~~(b) If the governor and the exclusive bargaining representative~~
19 ~~of the bargaining unit of language access providers enter into a~~
20 ~~collective bargaining agreement that includes a union security~~
21 ~~provision authorized in RCW 41.56.122, the state shall enforce the~~
22 ~~agreement by requiring through its contracts with third parties that:~~

23 ~~(i) The monthly amount of dues required for membership in the~~
24 ~~exclusive bargaining representative as certified by the secretary of~~
25 ~~the exclusive bargaining representative, or, for nonmembers thereof,~~
26 ~~a fee equivalent to the dues, be deducted from the payments to the~~
27 ~~language access provider and transmitted to the treasurer of the~~
28 ~~exclusive bargaining representative; and~~

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

31 ~~(3) This subsection (3) applies only to individual providers who~~
32 ~~contract with the department of social and health services. If the~~
33 ~~governor and the exclusive bargaining representative of a bargaining~~
34 ~~unit of individual providers enter into a collective bargaining~~
35 ~~agreement that meets the requirements in subsection (1) (b) (i) or (ii)~~
36 ~~of this section, and the state as payor, but not as the employer,~~
37 ~~contracts with a third-party entity to perform its obligations as set~~
38 ~~forth in those subsections, and that third-party contracts with the~~
39 ~~exclusive bargaining representative to perform voluntary deductions~~
40 ~~for individual providers, the exclusive bargaining representative may~~

1 ~~direct the third-party to make the deductions required by the~~
2 ~~collective bargaining agreement, at the expense of the exclusive~~
3 ~~bargaining representative, so long as such deductions by the~~
4 ~~exclusive bargaining representative do not conflict with any federal~~
5 ~~or state law.)"~~

6 Beginning on page 13, line 4, strike all of section 12 and insert
7 the following:

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

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

17 ~~(2) (a) Upon written authorization of an employee within the~~
18 ~~bargaining unit and after the certification or recognition of the~~
19 ~~bargaining unit's exclusive bargaining representative, the employer~~
20 ~~must deduct from the payments to the employee the monthly amount of~~
21 ~~dues as certified by the secretary of the exclusive bargaining~~
22 ~~representative and must transmit the same to the treasurer of the~~
23 ~~exclusive bargaining representative.~~

24 ~~(b) 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 payments other than~~
33 ~~the deduction under (b) (i) of this subsection, the employer must make~~
34 ~~such deductions upon written authorization of the employee.)).~~

35 (2) After the certification of the bargaining unit's exclusive
36 bargaining representative, the employer must deduct from employee
37 payments the monthly amount of dues as certified by the exclusive
38 bargaining representative and must transmit the same to the exclusive

1 bargaining representative. The employer must only make and transmit
2 such deductions upon receipt of an employee's authorization that:

3 (a) Is made in writing;

4 (b) Is dated and signed with the employee's legally valid
5 signature;

6 (c) Clearly and specifically acknowledges and waives the
7 employee's constitutional right to not pay any union dues or fees;
8 and

9 (d) Is given freely and affirmatively and not obtained through
10 coercive or deceptive means.

11 (3) When an employee provides the employer with a written request
12 to cease deducting exclusive bargaining representative dues, the
13 employer must cease the deductions within thirty days.

14 (4) The employer must maintain all copies of an employee's dues
15 deduction authorizations and cancellations provided while the
16 employee worked in the bargaining unit for at least three years after
17 the employee has ceased to be employed in the bargaining unit."

18 Beginning on page 16, line 13, strike all of section 14 and
19 insert the following:

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

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

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

31 ~~(c) If the employer and the exclusive bargaining representative~~
32 ~~of a bargaining unit enter into a collective bargaining agreement~~
33 ~~that:~~

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

1 ~~(ii) Includes requirements for deductions of payments other than~~
2 ~~the deduction under (c) (i) of this subsection, the employer must make~~
3 ~~such deductions upon written authorization of the employee.~~

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

17 ~~determination.) After the certification of the bargaining unit's~~
18 ~~exclusive bargaining representative, the employer must deduct from~~
19 ~~employee payments the monthly amount of dues as certified by the~~
20 ~~exclusive bargaining representative and must transmit the same to the~~
21 ~~exclusive bargaining representative. The employer must only make and~~
22 ~~transmit such deductions upon receipt of an employee's authorization~~
23 ~~that:~~

24 (a) Is made in writing;

25 (b) Is dated and signed with the employee's legally valid
26 signature;

27 (c) Clearly and specifically acknowledges and waives the
28 employee's constitutional right to not pay any union dues or fees;
29 and

30 (d) Is given freely and affirmatively and not obtained through
31 coercive or deceptive means.

32 (2) When an employee provides the employer with a written request
33 to cease deducting exclusive bargaining representative dues, the
34 employer must cease the deductions within thirty days.

35 (3) The employer must maintain all copies of an employee's dues
36 deduction authorizations and cancellations provided while the
37 employee worked in the bargaining unit for at least three years after
38 the employee has ceased to be employed in the bargaining unit."

1 Beginning on page 19, line 27, strike all of section 18 and
2 insert the following:

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

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

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

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

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

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

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

13 ~~(4) Employee organizations that before July 1, 2004, were~~
14 ~~entitled to the benefits of this section shall continue to be~~
15 ~~entitled to these benefits.)~~ After the certification of the
16 bargaining unit's exclusive bargaining representative, the employer
17 must deduct from employee payments the monthly amount of dues as
18 certified by the exclusive bargaining representative and must
19 transmit the same to the exclusive bargaining representative. The
20 employer must only make and transmit such deductions upon receipt of
21 an employee's authorization that:

22 (a) Is made in writing;

23 (b) Is dated and signed with the employee's legally valid
24 signature;

25 (c) Clearly and specifically acknowledges and waives the
26 employee's constitutional right to not pay any union dues or fees;
27 and

28 (d) Is given freely and affirmatively and not obtained through
29 coercive or deceptive means.

30 (2) When an employee provides the employer with a written request
31 to cease deducting exclusive bargaining representative dues, the
32 employer must cease the deductions within thirty days.

33 (3) The employer must maintain all copies of an employee's dues
34 deduction authorizations and cancellations provided while the
35 employee worked in the bargaining unit for at least three years after
36 the employee has ceased to be employed in the bargaining unit."

37 Beginning on page 23, line 26, strike all of section 20 and
38 insert the following:

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

3 ~~((A collective bargaining agreement may include union security~~
4 ~~provisions including an agency shop, but not a union or closed shop.~~
5 ~~If an agency shop provision is agreed to, the employer shall enforce~~
6 ~~it by deducting from the salary payments to members of the bargaining~~
7 ~~unit the dues required of membership in the bargaining~~
8 ~~representative, or, for nonmembers thereof, a fee equivalent to such~~
9 ~~dues. All union security provisions shall safeguard the right of~~
10 ~~nonassociation of employees based on bona fide religious tenets or~~
11 ~~teachings of a church or religious body of which such employee is a~~
12 ~~member. Such employee shall pay an amount of money equivalent to~~
13 ~~regular dues and fees to a nonreligious charity or to another~~
14 ~~charitable organization mutually agreed upon by the employee affected~~
15 ~~and the bargaining representative to which such employee would~~
16 ~~otherwise pay the dues and fees. The employee shall furnish written~~
17 ~~proof that such payment has been made. If the employee and the~~
18 ~~bargaining representative do not reach agreement on such matter, the~~
19 ~~commission shall designate the charitable organization.)) (1) After~~
20 ~~the certification of the bargaining unit's exclusive bargaining~~
21 ~~representative, the employer must deduct from ferry employee payments~~
22 ~~the monthly amount of dues as certified by the exclusive bargaining~~
23 ~~representative and must transmit the same to the exclusive bargaining~~
24 ~~representative. The employer will only make and transmit such~~
25 ~~deductions upon receipt of an employee's authorization that:~~

26 (a) Is made in writing;

27 (b) Is dated and signed with the employee's legally valid
28 signature;

29 (c) Clearly and specifically acknowledges and waives the
30 employee's constitutional right to not pay any union dues or fees;
31 and

32 (d) Is given freely and affirmatively and not obtained through
33 coercive or deceptive means.

34 (2) When a ferry employee provides the employer with a written
35 request to cease deducting exclusive bargaining representative dues,
36 the employer must cease the deductions within thirty days.

37 (3) The employer must maintain all copies of a ferry employee's
38 dues deduction authorizations and cancellations provided while the

1 employee worked in the bargaining unit for at least three years after
2 the employee has ceased to be employed in the bargaining unit."

3 Beginning on page 25, line 6, strike all of section 22 and insert
4 the following:

5 "**Sec. 22.** RCW 49.39.080 and 2018 c 247 s 6 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 ~~must 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 must transmit the same to the treasurer of the~~
13 ~~exclusive bargaining representative.~~

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

17 (a) ~~Includes a union security provision authorized under RCW~~
18 ~~49.39.090, the employer must enforce the agreement by deducting from~~
19 ~~the payments to bargaining unit members the dues required for~~
20 ~~membership in the exclusive bargaining representative, or, for~~
21 ~~nonmembers thereof, a fee equivalent to the dues; or~~

22 (b) ~~Includes requirements for deductions of payments other than~~
23 ~~the deduction under (a) of this subsection, the employer must make~~
24 ~~such deductions upon written authorization of the employee.)~~ After
25 the certification of the bargaining unit's exclusive bargaining
26 representative, the employer must deduct from employee payments the
27 monthly amount of dues as certified by the exclusive bargaining
28 representative and must transmit the same to the exclusive bargaining
29 representative. The employer must only make and transmit such
30 deductions upon receipt of an employee's authorization that:

31 (a) Is made in writing;

32 (b) Is dated and signed with the employee's legally valid
33 signature;

34 (c) Clearly and specifically acknowledges and waives the
35 employee's constitutional right to not pay any union dues or fees;
36 and

37 (d) Is given freely and affirmatively and not obtained through
38 coercive or deceptive means.

1 (2) When an employee provides the employer with a written request
2 to cease deducting exclusive bargaining representative dues, the
3 employer must cease the deductions within thirty days.

4 (3) The employer must maintain all copies of an employee's dues
5 deduction authorizations and cancellations provided while the
6 employee worked in the bargaining unit for at least three years after
7 the employee has ceased to be employed in the bargaining unit."

8 On page 27, line 15, after "sections" strike "5,"

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By Senator King

NOT ADOPTED 03/12/2019

9 On page 1, line 8 of the title, after "4.24 RCW;" strike "adding
10 a new section to chapter 28B.52 RCW;"

EFFECT: Requires an employee's authorization for the deduction of union dues to be in writing, be dated and signed, clearly and specifically acknowledge and waive the employee's constitutional right to not pay any union dues or fees, and be given freely and affirmatively without coercion. Requires that an employer cease deducting union dues within thirty days after receiving a revocation from an employee. Requires employers to maintain all copies of an employee's dues deduction authorizations and cancellations for at least three years after the employee has ceased being employed in the bargaining unit.

--- END ---