
**Labor & Workplace Standards
Committee**

HB 1333

Brief Description: Changing the definition of public employee for public employees' collective bargaining.

Sponsors: Representatives Valdez, Hudgins and Pollet.

Brief Summary of Bill

- Allows personal assistants to district court and superior court judges and court commissioners to collectively bargain.

Hearing Date: 1/24/19

Staff: Trudes Tango (786-7384).

Background:

The Public Employees' Collective Bargaining Act (PECBA) provides for collective bargaining of wages, hours, and working conditions with public employees of cities, counties, and other political subdivisions.

The PECBA's definition of "public employee" explicitly excludes certain categories of employees, such as elected officials (which includes judges) and court commissioners. Also excluded from the definition is a person who is a personal assistant to a district court judge, superior court judge, or court commissioner. However, no more than one assistant for each judge or commissioner may be excluded from a bargaining unit.

What constitutes a "personal assistant" is determined on a case-by-case basis by examining the duties and functions of the position.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Recently, the Washington State Council of County and City Employees filed a petition with the Public Employment Relations Commission (PERC) to represent the bailiffs employed by King County. The PERC found that the King County bailiffs were personal assistants of the superior court judges because, among other things, each bailiff primarily works exclusively for the judge who hired him or her, and each bailiff serves as the hiring judge's case manager, trial administrator, executive assistant, and liaison.

Summary of Bill:

The definition of "public employee" under the PECBA is amended to no longer exclude personal assistants to district court judges, superior court judges, and court commissioners. Thus, those employees may collectively bargain under PECBA.

Appropriation: None.

Fiscal Note: Requested on January 18, 2019.

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