

HOUSE BILL REPORT

HB 1452

As Reported by House Committee On: Labor & Workplace Standards

Title: An act relating to extending collective bargaining rights to employees of the legislative branch of state government.

Brief Description: Extending collective bargaining rights to employees of the legislative branch of state government.

Sponsors: Representatives Riccelli, Macri, Doglio, Jinkins, Peterson, Stonier, Dolan, Frame, Robinson, Sells, Fitzgibbon, Tarleton, Gregerson, Valdez, Lekanoff, Walen, Kloba, Chapman, Stanford, Bergquist and Ormsby.

Brief History:

Committee Activity:

Labor & Workplace Standards: 1/29/19, 2/7/19 [DPS].

Brief Summary of Substitute Bill

- Authorizes collective bargaining for permanent employees of the legislative branch of state government.

HOUSE COMMITTEE ON LABOR & WORKPLACE STANDARDS

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 4 members: Representatives Sells, Chair; Chapman, Vice Chair; Gregerson and Ormsby.

Minority Report: Do not pass. Signed by 2 members: Representatives Chandler, Assistant Ranking Minority Member; Hoff.

Minority Report: Without recommendation. Signed by 1 member: Representative Mosbrucker, Ranking Minority Member.

Staff: Trudes Tango (786-7384).

Background:

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.

With certain exceptions, state employees covered by the civil service laws have collective bargaining under the Personnel System Reform Act (PSRA). For purposes of negotiations, state agencies are represented by the Governor. The Public Employment Relations Commission determines appropriate bargaining units and certifies exclusive bargaining representatives. Collective bargaining agreements must be submitted to the Office of Financial Management by October 1, and to the Legislature as part of the Governor's budget proposal. The Legislature must accept or reject the request for funds necessary to implement the agreements as a whole.

The state civil service law applies to state agencies and employees, unless expressly excluded or exempted. One provision expressly excludes legislators and employees of the legislative branch, including members, officers, and employees of the Legislative Council, the Joint Legislative Audit and Review Committee (JLARC), the Code Reviser Statute Law Committee (SLC), and interim legislative committees. Therefore, the PSRA does not apply to legislative employees.

Summary of Substitute Bill:

The PSRA applies to permanent employees of the legislative branch of state government, the JLARC, the SLC, the Legislative Ethics Board, the Legislative Evaluation and Accountability Program Committee, the Office of the State Actuary, the Legislative Service Center, the Office of Legislative Support Services, and the Joint Transportation Committee. Legislators, the Chief Clerk, Deputy Chief Clerk, Secretary of the Senate, Deputy Secretary of the Senate, counsel for the House and Senate, directors and assistant directors of legislative staff, administrators and directors of committees, boards, and commissions, and temporary employees are excluded.

Definitions are amended to include legislative branch employees. The legislative branch employees are an "agency" for the sole purpose of collective bargaining. The Secretary of the Senate, the Chief Clerk, the Senate Facilities and Operations Committee, and the House Executive Rules Committee, must select a negotiator.

Substitute Bill Compared to Original Bill:

The substitute bill: (1) specifically adds employees of the Legislative Ethics Board, the Legislative Evaluation and Accountability Program Committee, the Office of the State Actuary, the Legislative Service Center, the Office of Legislative Support Services, and the Joint Transportation Committee; (2) excludes administrators and directors of committees, boards, and commission; (3) specifies that the legislative branch is an "agency" for the sole purpose of collective bargaining; (4) adds legislative branch employees to the definition of employee; and (5) specifies that for purposes of negotiating, the Secretary of the Senate, the Chief Clerk, the Senate Facilities and Operations Committee, and the House Executive Rules Committee, must select a negotiator.

Appropriation: None.

Fiscal Note: Available.

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

Staff Summary of Public Testimony:

(In support) Legislative staff do not have a clear pathway to resolve workplace issues. The bill does not require staff to join a union. When there is sexual harassment at the Legislature, staff do not know where to turn, and a union could help support staff and provide advocacy. Staff deserve the same rights to bargain as other public employees. There are high rates of turnover among legislative staff. Bargaining will provide the opportunity for employees to sit down with management to improve the unique work environment of the Legislature.

(Opposed) None.

(Other) The bill needs to change the definition of "employee" to make sure these employees are included in collective bargaining.

Persons Testifying: (In support) Representative Riccelli, prime sponsor; Abbie Zulock; Maureen Haeger; Maria Ramos; Sarah Tucker; Joe Kendo, Washington State Labor Council; and Seamus Petrie, Washington Public Employees Association.

(Other) Mike Sellars, Public Employment Relations Commission.

Persons Signed In To Testify But Not Testifying: None.