
Labor & Workplace Standards Committee

HB 2037

Brief Description: Providing sergeants of the department of fish and wildlife interest arbitration under certain circumstances.

Sponsors: Representatives Sells and Pollet.

Brief Summary of Bill

- Grants interest arbitration to sergeants of the Department of Fish and Wildlife if the exclusive bargaining representative for the sergeants choose to bargain agency-specific issues separate from coalition bargaining.

Hearing Date: 2/18/19

Staff: Trudes Tango (786-7384).

Background:

The Personnel System Reform Act.

The Personnel System Reform Act (PSRA) provides for collective bargaining of wages, hours, and other terms and conditions of employment with classified employees of state agencies and institutions of higher education. The PSRA does not provide for interest arbitration.

The Public Employees' Collective Bargaining Act (PECBA) does provide interest arbitration for certain uniformed personnel, including the Washington State Patrol (WSP). The PECBA establishes procedures for arbitration, including requiring parties to mediate first and other procedures. In addition, for the WSP, the Governor is required to submit to the Legislature a request for funds to implement the compensation provisions of an agreement. Before the Governor may submit the request, the Director of the Office of Financial Management (OFM) must have certified it to be feasible financially or, in the case of interest arbitration, certified that the request reflects the decision of an arbitration panel.

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.

The PSRA provides for multi-employer bargaining and coalition bargaining. Representatives of more than one bargaining unit must negotiate one master collective bargaining agreement covering all of the represented employees. Exclusive bargaining representatives that represent fewer than 500 employees each must bargain in a coalition, with one master agreement covering all of the employees represented by the coalition.

The Department of Fish and Wildlife.

The Department of Fish and Wildlife (DFW) enforcement officers bargain under the PSRA and are part of the coalition bargaining.

Summary of Bill:

Sergeants of the DFW are not excluded from coalition bargaining. However, the exclusive bargaining representative for the sergeants may choose to enter into separate bargaining with the employer regarding agency-specific issues. If they choose separate bargaining, interest arbitration provisions apply.

Interest arbitration procedures for the DFW sergeants are similar to the procedures for the WSP officers, including requiring mediation first, and requiring the Governor to submit a request for funds to the OFM before submitting the request to the Legislature.

Agency-specific issues includes but is not limited to rates of pay and other compensation.

Appropriation: None.

Fiscal Note: Requested on February 14, 2019.

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