

# FINAL BILL REPORT

## HB 2691

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Synopsis as Enacted

**Brief Description:** Concerning the scope of collective bargaining for language access providers.

**Sponsors:** Representatives Valdez, Ryu, Frame, Doglio, Dolan, Slatter, Lovick, Ortiz-Self, Fitzgibbon, Davis, Pollet and Macri.

**House Committee on Labor & Workplace Standards**

**House Committee on Appropriations**

**Senate Committee on Labor & Commerce**

**Senate Committee on Ways & Means**

### **Background:**

In general, employees of cities, counties, and other political subdivisions of the state bargain their wages and working conditions under the Public Employees' Collective Bargaining Act (PECBA). Language access providers have collective bargaining rights under the PECBA as well. Language access providers are defined as independent contractors who provide spoken language interpreter services for:

- the Department of Social and Health Services (DSHS) and the Department of Children, Youth, and Families (DCYF) appointments and Medicaid enrollee appointments or who provided those services on or after January 1, 2011, and before June 10, 2012;
- the Department of Labor and Industries (L&I) authorized medical and vocational providers or who provided those services on or after January 1, 2016, and before July 1, 2018; and
- state agencies who provide these services or who provided those services on or after January 1, 2016, and before July 1, 2018.

The scope of bargaining for language access providers is limited to:

- economic compensation, such as the manner and rate of payments;
- professional development and training;
- labor-management committees; and
- grievance procedures.

Language access providers may form three different statewide bargaining units, which include:

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- providers for the DSHS appointments or Medicaid enrollee appointments;
- providers for injured workers or crime victims receiving benefits from the L&I; and
- other providers for any state agency through the Department of Enterprise Services (DES).

In 2018 legislation was enacted that changed the way the L&I and other agencies procure in-person spoken language interpreter services. The legislation requires certain agencies to purchase services directly from providers or contract with scheduling organizations.

**Summary:**

The scope of bargaining for language access providers is expanded to include health and welfare benefits and "other economic matters." Tiered payments are included in what is considered economic compensation for the purposes of scope of bargaining.

The dates when a person must have provided interpretive services to the L&I and other state agencies to be considered a language access provider are changed to include those who provided services on or after January 1, 2019.

The DSHS, L&I, DCYF, DES, and Health Care Authority must report to the Legislature, by December 1, 2020, on each agency's implementation of the 2018 legislation that made changes to the procurement process. The report must include, among other things, recommendations on how to improve procurement and accessibility of language access providers.

**Votes on Final Passage:**

House	57	40	
Senate	32	15	(Senate amended)
House	61	35	(House concurred)

**Effective:** June 11, 2020