

# SENATE BILL REPORT

## SB 5481

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As of January 14, 2020

**Title:** An act relating to establishing a coalition of commissioned officers, detectives, and sergeants of the department of fish and wildlife for the purposes of collective bargaining, including interest arbitration.

**Brief Description:** Establishing a coalition of commissioned officers, detectives, and sergeants of the department of fish and wildlife for the purposes of collective bargaining, including interest arbitration.

**Sponsors:** Senators Warnick, Sheldon, Short, Van De Wege, Honeyford, Wagoner, Fortunato and Holy.

**Brief History:**

**Committee Activity:** Labor & Commerce: 1/14/20.

**Brief Summary of Bill**

- Grants interest arbitration to Department of Fish and Wildlife officers who rank below captain.

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### SENATE COMMITTEE ON LABOR & COMMERCE

**Staff:** Jarrett Sacks (786-7448)

**Background:** 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 higher education institutions. Prior to 2019, the PSRA did not allow for interest arbitration. During the 2019 session, the Legislature authorized interest arbitration under the PSRA for both uniformed personnel and certain Department of Corrections employees. Currently, only police officers employed as members of a police force established by state universities, regional universities, or The Evergreen State College are considered uniformed personnel under the PSRA.

The provisions in the PSRA for interest arbitration for uniformed personnel are similar to the interest arbitration provisions for uniformed personnel under the Public Employees' Collective Bargaining Act, including:

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- required mediation before being certified to go to arbitration;
- procedures and timeframes for appointing an arbitration panel;
- procedures for an arbitration hearing; and
- factors to be considered by the arbitration panel, including a comparison of similar personnel of similar employers on the west coast.

Separate provisions exist in the PSRA for interest arbitration for Department of Corrections employees.

**Summary of Bill:** The bill as referred to committee not considered.

**Summary of Bill (Proposed Substitute):** Department of Fish and Wildlife officers (DFW officers) who rank below captain are included in the definition of uniformed personnel under the PSRA, entitling them to interest arbitration. Uniformed personnel that are DFW officers may not be excluded from coalition bargaining for a master agreement of all exclusive bargaining representatives of fewer than 500 employees. However, the exclusive bargaining representative of uniformed personnel who are DFW officers may choose to enter into separate bargaining with the employer regarding agency-specific issues and be subject to the interest arbitration provisions for uniformed personnel under the PSRA.

An exception is added for DFW officers regarding the method an interest arbitration panel must use to compare hours and conditions of employment to similar personnel. Rather than comparing hours and conditions of employment with similar personnel of similar employers on the west coast, the interest arbitration panel must compare hours and conditions of employment of DFW officers with similar personnel of similar employers, agencies, or departments in Washington State.

**Appropriation:** None.

**Fiscal Note:** Requested on January 8, 2020.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony on Proposed Substitute:** PRO: DFW officers should receive the same treatment as other uniformed officers and giving them interest arbitration is a matter of fairness. Many times, DFW officers are the first to arrive and their job is just as dangerous and in remote locations. This bill allows them to compete with other law enforcement agencies and will help with recruitment. The bill levels the playing field because DFW officers are the only state general law enforcement officers without interest arbitration.

**Persons Testifying:** PRO: Senator Judy Warnick, Prime Sponsor; Erik Olson, DFW Teamsters 760; Steve Bear, Chief of DFW; Dave Jones, citizen.

**Persons Signed In To Testify But Not Testifying:** No one.