
Appropriations Committee

HB 2124

Brief Description: Concerning extending collective bargaining to legislative employees.

Sponsors: Representatives Riccelli, Sullivan, Frame, Ramel, Chapman, Ryu, Paul, Simmons, Stonier, Bergquist, Wicks, Valdez, Gregerson, Santos, Ramos, Johnson, J., Walen, Tharinger, Bateman, Callan, Thai, Taylor, Leavitt, Senn, Wylie, Macri, Ormsby, Pollet, Morgan, Bronoske, Kloba, Davis, Slatter, Berg, Lekanoff, Entenman, Ortiz-Self, Duerr, Peterson, Harris-Talley, Cody, Hackney, Chopp, Orwall and Rule.

Brief Summary of Bill

- Creates the Office of State Legislative Labor Relations (OSLA).
- Requires the OSLA to study and report on options for the Legislature to implement collective bargaining for legislative employees.
- Requires collective bargaining with legislative employees to begin no earlier than May 1, 2024, with the first agreements taking effect no sooner than July 1, 2024.
- Permits legislative employees to organize and bargain collectively, but also have the right to refrain from any or all such activities.
- Specifies unfair labor practices for the employer and employee representatives in legislative bargaining relationships.

Hearing Date: 2/24/22

Staff: David Pringle (786-7310).

Background:

Employees of state and local governments may collectively bargain only if authorized by state

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

law. Generally, the Personnel System Reform Act (PSRA) provides collective bargaining for employees of state agencies who are covered by the civil service laws. Legislators and employees of the legislative branch are exempt from the state civil service laws, and therefore, the PSRA does not apply to them. The Public Employee Collective Bargaining Act (PECBA) covers local government employees and some state employees, while other chapters cover specified groups of state employees, like faculty.

Matters subject to collective bargaining under the PSRA include wages, hours, and other terms and conditions of employment and the negotiation of any question arising under a collective bargaining agreement. The employer is not required to bargain over matters related to retirement benefits, healthcare benefits, or other employee insurance benefits. Bargaining over the rights of management is not allowed.

For the purposes of negotiations, state agencies are represented by the Governor. 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.

Summary of Bill:

The Office of State Legislative Labor Relations (OSLA) is created. The OSLA must study issues related to the implementation of collective bargaining for employees of the Legislature, and provide a preliminary report by October 1, 2022, and a final report by October 1, 2023. The reports will examine mandatory, permissive, and prohibited subjects of bargaining, employer representation, grievance procedures, bargaining unit determination, and approval and funding procedures.

Collective bargaining with legislative employees cannot commence until May 1, 2024, and initial agreements cannot take effect until July 1, 2025.

Legislative employees have the right to organize, bargain collectively, and have the right to refrain from any or all such activities. The right to strike or refuse to perform official duties is not granted.

Bargaining must begin no later than July 1st of each even-numbered year, and agreements must not exceed the duration of one fiscal biennium.

Unfair labor practices of employers and employee organizations are enumerated. For employers, these include that employers must not interfere with employee rights, dominate, or interfere with employees conferring with representatives during working hours, or refuse to bargain. For employee representative organizations, unfair practices include for an employee organization to restrain or coerce employees, to discriminate or cause the employer to discriminate against employees, or to refuse to bargain.

Appropriation: None.

Fiscal Note: Requested on February 23, 2022.

Effective Date: Sections 2 through 7 of the act take effect May 1, 2024.