

# SENATE BILL REPORT

## SB 5895

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As of January 15, 2024

**Title:** An act relating to collective bargaining for certain employees who are enrolled in academic programs at public institutions of higher education.

**Brief Description:** Concerning collective bargaining for certain employees who are enrolled in academic programs at public institutions of higher education.

**Sponsors:** Senators Nobles, Stanford, Conway, Dhingra, Frame, Hasegawa, Hunt, Keiser, Kuderer, Lias, Nguyen, Randall, Saldaña, Trudeau and Valdez.

**Brief History:**

**Committee Activity:** Labor & Commerce: 1/18/24.

**Brief Summary of Bill**

- Grants the right to collectively bargain to student employees at Central Washington University, Eastern Washington University, Western Washington University, and The Evergreen State College who are not currently covered by existing collective bargaining laws.

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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 institutions of higher education. Employees covered under the PSRA include all state civil service employees, unless an exemption applies. In general, student employees are excluded from state civil service laws and, as a result, are excluded from bargaining under the PSRA.

Employees of cities, counties, and other political subdivisions of the state, as well as certain

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employees of institutions of higher education, bargain their wages and working conditions under the Public Employee's Collective Bargaining Act (PECBA). In 2002, the Legislature granted certain student employees at the University of Washington the right to collectively bargain under PECBA. Similarly, in 2008, the Legislature granted certain student employees at Washington State University the right to collectively bargain.

Last year, the Legislature passed SSB 5238, which granted teaching assistants, research assistants, tutors, readers, graders, and other student employees at Central Washington University, Eastern Washington University, Western Washington University, and The Evergreen State College the right to collective bargaining under PECBA.

**Summary of Bill:** Employees who are enrolled in an academic or certificate program on any campus of Central Washington University, Eastern Washington University, Western Washington University, and The Evergreen State College are granted the right to collectively bargain under PECBA.

The following employees are excluded from the bill:

- higher education and student employees previously granted the right to collective bargaining under PECBA;
- printing craft employees at the University of Washington;
- classified employees of technical colleges;
- faculty at public four-year institutions and community and technical colleges; and
- state employees that bargain under the Personnel System Reform Act.

An employee is considered enrolled during campus academic breaks, including any winter, spring, or summer break, if the employee is employed over the course of the campus academic break and is enrolled in an academic or certificate program in the quarter or semester immediately preceding, or subsequent to, the campus academic break.

The only appropriate bargaining unit is a unit of all the employees covered under the bill. A bargaining unit is not appropriate if it includes more than one institution of higher education.

The scope of bargaining does not include:

- the ability to terminate the employment of any individual if the individual is not meeting academic requirements;
- the amount of tuition or fees, except tuition and fee remission and waiver is within the scope of bargaining;
- the academic calendar; and
- the number of students to be admitted to a particular class or class section.

Provisions of a collective bargaining agreement relating to compensation must not exceed the amount or percentage established by the Legislature. If any compensation provision is affected by modifications of the budget by the Legislature, both parties must immediately

enter into collective bargaining for the sole purpose of arriving at a mutually agreed-upon replacement for the affected provision.

The regional universities and The Evergreen State College may provide additional compensation to student employees that exceeds that provided by the Legislature.

**Appropriation:** None.

**Fiscal Note:** Requested on January 3, 2024.

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

**Effective Date:** The bill contains an emergency clause and takes effect immediately.