

FINAL BILL REPORT

SSB 6060

C 98 L 24
Synopsis as Enacted

Brief Description: Concerning the acceptance of electronic signatures by the public employment relations commission for new organizing petitions.

Sponsors: Senate Committee on Labor & Commerce (originally sponsored by Senators Nguyen, Hasegawa, Keiser, Saldaña, Stanford, Valdez and Wilson, C.).

Senate Committee on Labor & Commerce
House Committee on Labor & Workplace Standards

Background: State collective bargaining law establishes processes by which employees select, change, or remove a labor organization as their exclusive bargaining representative. To initiate one of these processes, a representation petition is filed with the Public Employment Relations Commission (PERC). A petition for new organizing may be filed to form a new bargaining unit of unrepresented employees or to add unrepresented employees to an existing bargaining unit. Petitions must be filed with a showing of interest demonstrating at least 30 percent of the employees in the bargaining unit support the petition. If the showing of interest is sufficient, PERC conducts an election or a card check.

When more than 50 percent of employees sign showing of interest cards, PERC may conduct a card check, also known as a cross-check. A card check is where the signatures on employer records are compared to the signatures on the showing of interest cards, with each matching signature counted as a vote in support of representation. PERC rule allows for an employee to withdraw their showing of interest card for the purposes of the card check. Certain employee groups cannot have an election by card check, including certificated employees of school districts, academic employees at community colleges, individual providers, family child care providers, adult family home providers, and language access providers. When the showing of interest is less than 50 percent of employees, PERC conducts an election by mail ballot, electronically, or telephonically.

Summary: For any new organizing petition to form a new bargaining unit of currently unrepresented workers or to add unrepresented workers to an existing bargaining unit,

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regardless of whether the election is by mail ballot or cross-check, PERC must accept electronic signatures, subject to rules adopted by PERC.

At a minimum, electronic signature submissions must include:

- name of the signer;
- phone number, email address, or social media account of the signer;
- the exact authorization language to which the signer assents;
- the date of submission of the electronic signature; and
- the name of the signer's employer.

The petitioning party must provide a declaration that:

- identifies the technology used to obtain and verify the signature;
- provides the methods used to ensure the authenticity of the signature; and
- confirms the information transmitted to the signer was the same information to which the signer assented.

A provision in the Public Employees' Collective Bargaining Act requiring PERC to determine the bargaining representative by comparing signatures on organization bargaining authorization cards for cross-checks is removed.

Votes on Final Passage:

Senate	31	18
House	92	4

Effective: June 6, 2024