
SUBSTITUTE SENATE BILL 5433

State of Washington

69th Legislature

2025 Regular Session

By Senate Labor & Commerce (originally sponsored by Senators Ramos, Holy, Bateman, Krishnadasan, Valdez, Frame, Hasegawa, Nobles, and Saldaña)

READ FIRST TIME 02/10/25.

1 AN ACT Relating to exempting exclusive bargaining representatives
2 for department of corrections employees from certain provisions
3 related to coalition bargaining; and amending RCW 41.80.010.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 41.80.010 and 2022 c 297 s 951 are each amended to
6 read as follows:

7 (1) For the purpose of negotiating collective bargaining
8 agreements under this chapter, the employer shall be represented by
9 the governor or governor's designee, except as provided for
10 institutions of higher education in subsection (4) of this section.

11 (2)(a)(i) Except as otherwise provided, if an exclusive
12 bargaining representative represents more than one bargaining unit,
13 the exclusive bargaining representative shall negotiate with each
14 employer representative as designated in subsection (1) of this
15 section one master collective bargaining agreement on behalf of all
16 the employees in bargaining units that the exclusive bargaining
17 representative represents.

18 (ii) For those exclusive bargaining representatives who represent
19 fewer than a total of (~~five—hundred~~) 500 employees each,
20 negotiation shall be by a coalition of all those exclusive bargaining
21 representatives. The coalition shall bargain for a master collective

1 bargaining agreement covering all of the employees represented by the
2 coalition. The governor's designee and the exclusive bargaining
3 representative or representatives are authorized to enter into
4 supplemental bargaining of agency-specific issues for inclusion in or
5 as an addendum to the master collective bargaining agreement, subject
6 to the parties' agreement regarding the issues and procedures for
7 supplemental bargaining. Exclusive bargaining representatives that
8 represent employees covered under chapter 41.06 RCW and exclusive
9 bargaining representatives that represent employees exempt under
10 chapter 41.06 RCW shall constitute separate coalitions and must
11 negotiate separate master collective bargaining agreements. This
12 subsection does not prohibit cooperation and coordination of
13 bargaining between two or more exclusive bargaining representatives.

14 (b) This subsection does not apply to exclusive bargaining
15 representatives who represent employees of institutions of higher
16 education, except when the institution of higher education has
17 elected to exercise its option under subsection (4) of this section
18 to have its negotiations conducted by the governor or governor's
19 designee under the procedures provided for general government
20 agencies in subsections (1) through (3) of this section.

21 (c) If (~~five hundred~~) 500 or more employees of an independent
22 state elected official listed in RCW 43.01.010 are organized in a
23 bargaining unit or bargaining units under RCW 41.80.070, the official
24 shall be consulted by the governor or the governor's designee before
25 any agreement is reached under (a) of this subsection concerning
26 supplemental bargaining of agency specific issues affecting the
27 employees in such bargaining unit.

28 (d) For assistant attorneys general, the governor or the
29 governor's designee and an exclusive bargaining representative shall
30 negotiate one master collective bargaining agreement.

31 (e) Except for exclusive bargaining representatives who represent
32 marine department employees at the department of corrections, this
33 subsection does not apply to exclusive bargaining representatives who
34 represent employees of the department of corrections that have
35 interest arbitration rights under RCW 41.80.200. For department of
36 corrections employees, the governor or the governor's designee and an
37 exclusive bargaining representative shall negotiate one master
38 collective bargaining agreement.

39 (3) The governor shall submit a request for funds necessary to
40 implement the compensation and fringe benefit provisions in the

1 master collective bargaining agreement or for legislation necessary
2 to implement the agreement. Requests for funds necessary to implement
3 the provisions of bargaining agreements shall not be submitted to the
4 legislature by the governor unless such requests:

5 (a) Have been submitted to the director of the office of
6 financial management by October 1 prior to the legislative session at
7 which the requests are to be considered; and

8 (b) Have been certified by the director of the office of
9 financial management as being feasible financially for the state.

10 The legislature shall approve or reject the submission of the
11 request for funds as a whole. The legislature shall not consider a
12 request for funds to implement a collective bargaining agreement
13 unless the request is transmitted to the legislature as part of the
14 governor's budget document submitted under RCW 43.88.030 and
15 43.88.060. If the legislature rejects or fails to act on the
16 submission, either party may reopen all or part of the agreement or
17 the exclusive bargaining representative may seek to implement the
18 procedures provided for in RCW 41.80.090.

19 (4) (a) (i) For the purpose of negotiating agreements for
20 institutions of higher education, the employer shall be the
21 respective governing board of each of the universities, colleges, or
22 community colleges or a designee chosen by the board to negotiate on
23 its behalf.

24 (ii) A governing board of a university or college may elect to
25 have its negotiations conducted by the governor or governor's
26 designee under the procedures provided for general government
27 agencies in subsections (1) through (3) of this section, except that:

28 (A) The governor or the governor's designee and an exclusive
29 bargaining representative shall negotiate one master collective
30 bargaining agreement for all of the bargaining units of employees of
31 a university or college that the representative represents; or

32 (B) If the parties mutually agree, the governor or the governor's
33 designee and an exclusive bargaining representative shall negotiate
34 one master collective bargaining agreement for all of the bargaining
35 units of employees of more than one university or college that the
36 representative represents.

37 (iii) A governing board of a community college may elect to have
38 its negotiations conducted by the governor or governor's designee
39 under the procedures provided for general government agencies in
40 subsections (1) through (3) of this section.

1 (b) Prior to entering into negotiations under this chapter, the
2 institutions of higher education or their designees shall consult
3 with the director of the office of financial management regarding
4 financial and budgetary issues that are likely to arise in the
5 impending negotiations.

6 (c)(i) In the case of bargaining agreements reached between
7 institutions of higher education other than the University of
8 Washington and exclusive bargaining representatives agreed to under
9 the provisions of this chapter, if appropriations are necessary to
10 implement the compensation and fringe benefit provisions of the
11 bargaining agreements, the governor shall submit a request for such
12 funds to the legislature according to the provisions of subsection
13 (3) of this section, except as provided in (c)(iii) of this
14 subsection.

15 (ii) In the case of bargaining agreements reached between the
16 University of Washington and exclusive bargaining representatives
17 agreed to under the provisions of this chapter, if appropriations are
18 necessary to implement the compensation and fringe benefit provisions
19 of a bargaining agreement, the governor shall submit a request for
20 such funds to the legislature according to the provisions of
21 subsection (3) of this section, except as provided in this subsection
22 (4)(c)(ii) and as provided in (c)(iii) of this subsection.

23 (A) If appropriations of less than (~~ten thousand dollars~~)
24 \$10,000 are necessary to implement the provisions of a bargaining
25 agreement, a request for such funds shall not be submitted to the
26 legislature by the governor unless the request has been submitted to
27 the director of the office of financial management by October 1 prior
28 to the legislative session at which the request is to be considered.

29 (B) If appropriations of (~~ten thousand dollars~~) \$10,000 or more
30 are necessary to implement the provisions of a bargaining agreement,
31 a request for such funds shall not be submitted to the legislature by
32 the governor unless the request:

33 (I) Has been submitted to the director of the office of financial
34 management by October 1 prior to the legislative session at which the
35 request is to be considered; and

36 (II) Has been certified by the director of the office of
37 financial management as being feasible financially for the state.

38 (C) If the director of the office of financial management does
39 not certify a request under (c)(ii)(B) of this subsection as being
40 feasible financially for the state, the parties shall enter into

1 collective bargaining solely for the purpose of reaching a mutually
2 agreed upon modification of the agreement necessary to address the
3 absence of those requested funds. The legislature may act upon the
4 compensation and fringe benefit provisions of the modified collective
5 bargaining agreement if those provisions are agreed upon and
6 submitted to the office of financial management and legislative
7 budget committees before final legislative action on the biennial or
8 supplemental operating budget by the sitting legislature.

9 (iii) In the case of a bargaining unit of employees of
10 institutions of higher education in which the exclusive bargaining
11 representative is certified during or after the conclusion of a
12 legislative session, the legislature may act upon the compensation
13 and fringe benefit provisions of the unit's initial collective
14 bargaining agreement if those provisions are agreed upon and
15 submitted to the office of financial management and legislative
16 budget committees before final legislative action on the biennial or
17 supplemental operating budget by the sitting legislature.

18 (5) If, after the compensation and fringe benefit provisions of
19 an agreement are approved by the legislature, a significant revenue
20 shortfall occurs resulting in reduced appropriations, as declared by
21 proclamation of the governor or by resolution of the legislature,
22 both parties shall immediately enter into collective bargaining for a
23 mutually agreed upon modification of the agreement.

24 (6) After the expiration date of a collective bargaining
25 agreement negotiated under this chapter, all of the terms and
26 conditions specified in the collective bargaining agreement remain in
27 effect until the effective date of a subsequently negotiated
28 agreement, not to exceed one year from the expiration date stated in
29 the agreement. Thereafter, the employer may unilaterally implement
30 according to law.

31 (7) (a) For the 2019-2021 fiscal biennium, the legislature may
32 approve funding for a collective bargaining agreement negotiated by a
33 higher education institution and the Washington federation of state
34 employees and ratified by the exclusive bargaining representative
35 before final legislative action on the omnibus appropriations act by
36 the sitting legislature.

37 (b) Subsection (3) (a) and (b) of this section do not apply to
38 requests for funding made pursuant to this subsection.

39 (8) (a) For the 2021-2023 fiscal biennium, the legislature may
40 approve funding for a collective bargaining agreement negotiated by

1 the governor or governor's designee and the Washington public
2 employees association community college coalition and the general
3 government agencies and ratified by the exclusive bargaining
4 representative before final legislative action on the omnibus
5 appropriations act by the sitting legislature.

6 (b) For the 2021-2023 fiscal biennium, the legislature may
7 approve funding for a collective bargaining agreement negotiated
8 between Highline Community College and the Washington public
9 employees association and ratified by the exclusive bargaining
10 representative before final legislative action on the omnibus
11 appropriations act by the sitting legislature.

12 (c) For the 2021-2023 fiscal biennium, the legislature may
13 approve funding for collective bargaining agreements negotiated
14 between Eastern Washington University and bargaining units of the
15 Washington federation of state employees and the public school
16 employees association, and between Yakima Valley College and the
17 Washington public employees association, and ratified by the
18 exclusive bargaining representatives before final legislative action
19 on the omnibus appropriations act by the sitting legislature.

20 (d) Subsection (3)(a) and (b) of this section does not apply to
21 requests for funding made pursuant to this subsection.

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