

6657

Sponsor(s): Senators Esser, Benton, Schmidt, Sheahan, Roach, Rasmussen, Keiser, Doumit, Prentice and Haugen

Brief Description: Clarifying collective bargaining processes for individual providers.

**SB 6657 - DIGEST**

Provides that: (1) With respect to commencement of negotiations between the authority and the bargaining representative of individual providers, negotiations shall be commenced by May 1 of any year prior to the year in which an existing collective bargaining agreement expires; and

(2) With respect to factors to be taken into consideration by an interest arbitration panel, the panel shall consider the financial ability of the state to pay for the compensation and fringe benefit provisions of a collective bargaining agreement.

Provides that a request for funds necessary to implement the compensation and fringe benefits provisions of a collective bargaining agreement entered into under RCW 74.39A.270 shall not be submitted by the governor to the legislature unless such request: (1) Has been submitted to the director of the office of financial management by October 1st prior to the legislative session at which the request is to be considered; and

(2) Has been certified by the director of the office of financial management as being feasible financially for the state or reflects the binding decision of an arbitration panel reached under RCW 74.39A.270(2)(c).

Creates a joint committee on home care worker relations.

Directs the authority to periodically consult with the committee regarding appropriations necessary to implement the compensation and fringe benefits provisions of any collective bargaining agreement and, upon completion of negotiations, advise the committee on the elements of the agreement and on any legislation necessary to implement such agreement.

Provides that, except as expressly limited in this act, the wages, hours, and working conditions of individual providers are determined solely through collective bargaining as provided in this act. No agency or department of this state, other than the authority, may establish policies or rules governing the wages or hours of individual providers. However, this provision does not modify: (1) The department's authority to establish a plan of care for each consumer and to determine the hours of care that each consumer is eligible to receive;

(2) The department's authority to terminate its contracts with individual providers who are not adequately meeting the needs of a particular consumer;

(3) The consumer's right to assign hours to one or more individual providers selected by the consumer within the maximum hours determined by his or her plan of care; and

(4) The consumer's right to determine conditions of employment for each individual provider in the consumer's employ.