

FINAL BILL REPORT

SHB 2963

C 203 L 08

Synopsis as Enacted

Brief Description: Authorizing collective bargaining for Washington State University employees who are enrolled in academic programs.

Sponsors: By House Committee on Appropriations (originally sponsored by Representatives Conway, Campbell, Chase, Hasegawa, Sullivan, Simpson, Seaquist, Appleton, Sells, Wood, Green, Blake, Ericks, Kenney, Williams, McIntire, Pettigrew, Kirby, Moeller, Fromhold, Hunt, VanDeWege, Ormsby and Hudgins).

House Committee on Commerce & Labor

House Committee on Appropriations

Senate Committee on Labor, Commerce, Research & Development

Background:

Employees enrolled in academic programs at Washington State University, like other students, are exempt from the state civil service law. As a result, they do not have a right to engage in collective bargaining under the state civil service collective bargaining law. They also are not granted a right to engage in collective bargaining under the public employees' collective bargaining law. Legislation enacted in 2002 granted that right to teaching assistants and research assistants at the University of Washington.

Summary:

The public employees' collective bargaining law applies to Washington State University (WSU) with respect to certain employees enrolled in academic programs.

Intent.

The Legislature acknowledges the ability of certain student employees at the University of Washington (UW) to collectively bargain and recognizes that student employees performing equivalent services at WSU do not enjoy such rights. The Legislature recognizes that, while titles may differ, student employees at WSU should enjoy the same rights as their counterparts at the UW. The Legislature intends to grant bargaining rights to student employees at WSU to the same extent such rights are granted to student employees at the UW.

The stated intent is to promote cooperative labor relations between WSU and the employees who provide instructional, research, and related academic services while enrolled as students. The Legislature does not intend to restrict or prohibit, with respect to matters outside the scope of bargaining:

- the exercise of shared governance functions of the faculty; and

- the exercise of the functions of the graduate and professional student association, the associated students organization, or other similar organizations.

WSU is not restricted from:

- considering the merits, necessity, or organization of any program or activity, including whether to establish, modify, or discontinue a program or activity; and
- having sole discretion over student admission requirements, criteria for awarding degrees, academic requirements for selection of student employees, initial appointment, and the content and supervision of courses, curricula, grading requirements, and research programs.

Bargaining Unit.

For covered student employees, the members of an appropriate bargaining unit are:

- graduate teaching assistants and graduate research assistants;
- graduate staff assistants, graduate project assistants, and graduate veterinary assistants;
- tutors, readers, and graders; and
- employees with substantially equivalent duties enrolled in an academic program.

Students who are graduate research assistants are excluded if they perform research primarily related to their dissertation and have incidental or no service expectations placed on them by WSU.

Scope of Bargaining.

The scope of bargaining excludes the following subjects:

- the ability to terminate an employee who is not meeting WSU's academic requirements;
- the amount of tuition or fees, except that tuition/fee remission or waiver is within the scope of bargaining;
- WSU's academic calendar; and
- the number of students to be admitted to a class or section.

Compensation.

The compensation provisions in a collective bargaining agreement may not exceed the amount or percentage established by the Legislature. However, the employer may provide additional compensation that exceeds that provided by the Legislature. If a compensation provision is affected by subsequent modification of an appropriations act, the parties must bargain for a replacement provision.

Votes on Final Passage:

House	62	32	
Senate	34	15	(Senate amended)
House	63	30	(House concurred)

Effective: June 12, 2008