
Commerce & Labor Committee

HB 3332

Brief Description: Regarding financial negotiations between civil service unions and institutions of higher education following October 1st.

Sponsors: Representatives Conway, Green, Grant, Pettigrew, Sullivan, Fromhold, Priest, Simpson and Kenney.

Brief Summary of Bill

- Provides a process for institutions of higher education to submit requests for funds necessary to implement collective bargaining agreements if the parties do not reach agreement by October 1 and engage in mediation or fact-finding.
- Provides a process for the Legislature to act on initial collective bargaining agreements involving bargaining units for which representatives were certified during or after the legislative session.

Hearing Date: 2/4/08

Staff: Jill Reinmuth (786-7134).

Background:

The Civil Service Reform Act of 2002 (Act) requires the Governor to submit requests for funds necessary to implement collective bargaining agreements to the Legislature. The requests for funds must not be submitted to the Legislature unless two conditions are met. First, the requests must be submitted to the Director of the Office of Financial Management by October 1 prior to the legislative session at which the requests are to be considered. Second, the requests must be certified by the Director as being feasible financially for the state.

The Act specifies that the Legislature must accept or reject the request for funds necessary to implement the agreements as a whole. If a significant revenue shortfall occurs, as declared by either the Governor or the Legislature, modifications to the agreements must be negotiated. The terms of an expired collective bargaining agreement remain in effect until a new agreement is

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negotiated, not to exceed one year. After one year, the employer may unilaterally implement according to law.

Summary of Bill:

For institutions of higher education, if the parties to a collective bargaining agreement have not reached agreement by October 1 and have engaged the Public Employment Relations Commission's mediation or fact-finding services, the Governor must submit a request for funds equivalent to the last pre-October 1 offer. If the eventual settlement exceeds the request for funds, the Governor must submit a supplementary request for the balance to the Legislature in conjunction with the Governor's supplementary budget request for the following legislative session.

For bargaining units for which representatives are certified during or after legislative sessions, the Legislature may act upon a unit's initial collective bargaining agreement if it is agreed upon and submitted to the Office of Financial Management and the legislative budget committees prior to the Legislature's final action on the budget or the supplementary budget.

Rules Authority: The bill does not address the rule-making powers of an agency.

Appropriation: None.

Fiscal Note: Requested on February 3, 2008.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.