

SHB 1329 - S AMD TO WM COMM AMD (S2924.1)
By Senators Rockefeller, Zarelli

WITHDRAWN 04/13/2009

1 On page 1, beginning on line 5 of the amendment, after "persist"
2 strike all material through "suffer" on line 7

3 On page 2, beginning on line 4 of the amendment, strike all
4 material through "children." on line 7 and insert "This new approach to
5 collective bargaining is available only to center directors and workers
6 who file a notice of intent to participate in the initial opt in phase
7 under section 4 of this act."

8 On page 2, line 24 of the amendment, after "workers" insert "who
9 choose to opt in under section 4 of this act"

10 On page 3, line 4 of the amendment, after "(ii)" strike all
11 material through "units" on line 12 and insert "A statewide unit for
12 child care center directors and workers"

13 On page 3, beginning on line 26 of the amendment, after "election"
14 strike all material through "(d)" on line 34 and insert "under this act
15 may not occur before the opt in period has concluded on November 1,
16 2010."

17 (c)"

18 Reletter the remaining subsections consecutively and correct any
19 internal references accordingly.

20 On page 4, line 10 of the amendment, after "section" insert "for
21 child care center directors and workers"

22 On page 4, line 18 of the amendment, after "programs;" insert "and"

1 On page 4, beginning on line 18 of the amendment, after "(III)"
2 strike all material through "(IV)" on line 19

3 On page 4, beginning on line 29 of the amendment, after "providers"
4 strike all material through "workers" on line 30

5 On page 4, line 33 of the amendment, after "year;" strike "and" and
6 insert "((and))"

7 On page 4, line 34 of the amendment, after "(ii)" insert "With
8 respect to commencement of negotiations between the governor and the
9 exclusive bargaining representative or representatives of child care
10 center directors and workers under (a) of this subsection, negotiations
11 may not commence before July 1, 2011, and thereafter must commence by
12 February 1st of any even-numbered year; and
13 (iii)"

14 On page 6, line 27 of the amendment, after "request" strike "may
15 not be submitted before July" and insert "must be submitted by October"

16 On page 10, beginning on line 19 of the amendment, after "(15)"
17 strike all material through "act." on line 23 and insert "(a) "Child
18 care center" means a child care center licensed by the state under RCW
19 43.215.500 through 43.215.545 that has at least one child care slot
20 filled by a child for whom it receives a child care subsidy.

21 (b) "Child care center" does not include a child care center:
22 (i) Operated directly by another unit of government or a tribe;
23 (ii) Operated by an individual, partnership, profit or nonprofit
24 corporation, or other entity that operates ten or more child care
25 centers statewide; or

26 (iii) Operated by a local nonprofit organization whose primary
27 mission is to provide social services, including serving children and
28 families, and that pays membership dues or assessments to either: (A)
29 A national organization, exempt from income tax under section 501(c)(3)
30 of the internal revenue code, with more than three million dollars in
31 membership dues and assessments annually, as reported to the internal
32 revenue service; or (B) a regional council that is affiliated with a

1 national organization, exempt from income tax under section 501(c)(3)
2 of the internal revenue code, with more than two hundred affiliates."

3 On page 10, beginning on line 26 of the amendment, strike all
4 material through "act." on line 31 and insert "(1) A child care center
5 may participate in collective bargaining under this act if the child
6 care center owner or director if there is no owner files a notice of
7 intent to opt in with the commission. The notice of intent must:
8 Include the names and addresses of that child care center's owners,
9 directors, and workers; include written authorization cards signed by
10 a majority of owners, directors, and workers employed at the center
11 indicating their desire to opt in; and be filed after June 30, 2010,
12 and before November 2, 2010.

13 (2) A child care center that does not file a notice of intent with
14 the commission may not be included in a bargaining unit under this act.

15 (3) The commission must, upon request, provide to a labor
16 organization seeking to organize child care center directors and
17 workers, a list, including names and addresses, of the child care
18 center owners, directors, and workers provided in notices of intent
19 submitted under subsection (1) of this section."

20 Beginning on page 11, line 23 of the amendment, after "(3)" strike
21 all material through "organization;" on page 12, line 3 and insert "In
22 lieu of the deductions authorized under subsections (1) and (2) of this
23 section, and the union security provisions authorized under RCW
24 41.56.122, the state shall deduct from the monthly amount of the child
25 care subsidy due to a child care center a monthly representation fee,
26 as certified by the secretary of the exclusive bargaining
27 representative, for the costs of representation of child care center
28 directors and workers, and transmit the representation fee to the
29 secretary of the exclusive bargaining representative. However:

30 (a) Any agreement to pay a representation fee must safeguard the
31 child care center owner's or director's rights of nonassociation based
32 on bona fide religious tenets or teachings of a church or other
33 religious body of which the owner or director is a member. The child
34 care center owner or director shall pay an amount equivalent to the
35 representation fee to a nonreligious charity or to another charitable
36 organization;"

1 Beginning on page 15, line 25 of the amendment, strike all of
2 section 9

3 Renumber the remaining sections consecutively and correct any
4 internal references accordingly.

5 On page 23, after line 35 of the amendment, insert the following:

6 "NEW SECTION. **Sec. 13.** A new section is added to chapter 43.131
7 RCW to read as follows:

8 This act terminates June 30, 2014, as provided in section 14 of
9 this act.

10 NEW SECTION. **Sec. 14.** A new section is added to chapter 43.131
11 RCW to read as follows:

12 The following acts or parts of acts, as now existing or hereafter
13 amended, are each repealed, effective June 30, 2015:

- 14 (1) Section 1 of this act;
- 15 (2) Section 2 of this act;
- 16 (3) Section 3 of this act;
- 17 (4) Section 4 of this act;
- 18 (5) Section 5 of this act;
- 19 (6) Section 6 of this act;
- 20 (7) Section 7 of this act;
- 21 (8) Section 8 of this act;
- 22 (9) Section 9 of this act;
- 23 (10) Section 10 of this act;
- 24 (11) Section 11 of this act; and
- 25 (12) Section 12 of this act."

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26 On page 24, line 17 of the title amendment, after "41.56 RCW;"

1 strike the remainder of the title and insert "adding new sections to
2 chapter 43.131 RCW; creating new sections; and providing an effective
3 date."

EFFECT: (1) Child care centers that choose to opt in and participate in collective bargaining under the act must file a notice of intent with the Public Employment Relations Commission between July 1, 2010, and November 1, 2010.

(2) The notice of intent must include: The names and addresses of the child care center's owners, directors, and workers; and authorization cards signed by a majority of the center's owners, directors, and workers indicating their desire to opt in.

(3) The requirement that child care centers provide the names and addresses of its employees to the Department of Early Learning is removed. Instead, labor organizations wishing to organize may request this information from the Public Employment Relations Commission.

(4) The requirement that the units for bargaining be based on DSHS regions is removed and replaced with a statewide unit.

(5) The initial election may not occur before November 1, 2010.

(6) The bargaining representative may not begin negotiations with the Governor before July 1, 2011, and must submit its request for funds necessary to implement the agreement by October 1, 2011.

(7) The definition of child care center is modified. A child care center includes those centers with one or more subsidized children. Child care centers operated by a unit of government, operated by an entity that operates ten or more child care centers, and operated by large nonprofit organizations are exempted from the bill.

(8) Adds a JLARC sunset review to the bill.

(9) Other economic support for child care centers is removed from the list of permissive items that may be bargained under the bill.

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