
ENGROSSED SENATE BILL 5251

State of Washington

60th Legislature

2007 Regular Session

By Senators Kohl-Welles, Clements, Hobbs, Parlette, Pridemore and Hatfield

Read first time 01/15/2007. Referred to Committee on Labor, Commerce, Research & Development.

1 AN ACT Relating to the term of existence of a collective bargaining
2 agreement; and amending RCW 41.56.070 and 41.56.070.

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

4 **Sec. 1.** RCW 41.56.070 and 1975 1st ex.s. c 296 s 18 are each
5 amended to read as follows:

6 In the event the commission elects to conduct an election to
7 ascertain the exclusive bargaining representative, and upon the request
8 of a prospective bargaining representative showing written proof of at
9 least thirty percent representation of the public employees within the
10 unit, the commission shall hold an election by secret ballot to
11 determine the issue. The ballot shall contain the name of such
12 bargaining representative and of any other bargaining representative
13 showing written proof of at least ten percent representation of the
14 public employees within the unit, together with a choice for any public
15 employee to designate that he does not desire to be represented by any
16 bargaining agent. Where more than one organization is on the ballot
17 and neither of the three or more choices receives a majority vote of
18 the public employees within the bargaining unit, a run-off election
19 shall be held. The run-off ballot shall contain the two choices which

1 received the largest and second-largest number of votes. No question
2 concerning representation may be raised within one year of a
3 certification or attempted certification. Where there is a valid
4 collective bargaining agreement in effect, no question of
5 representation may be raised except during the period not more than
6 ninety nor less than sixty days prior to the expiration date of the
7 agreement. Any agreement which contains a provision for automatic
8 renewal or extension of the agreement shall not be a valid agreement;
9 nor shall any agreement be valid if it provides for a term of existence
10 for more than three years, except that any agreement entered into
11 between cities, counties, or municipal corporations, and their
12 respective employees, may provide for a term of existence of up to six
13 years.

14 **Sec. 2.** RCW 41.56.070 and 1975 1st ex.s. c 296 s 18 are each
15 amended to read as follows:

16 In the event the commission elects to conduct an election to
17 ascertain the exclusive bargaining representative, and upon the request
18 of a prospective bargaining representative showing written proof of at
19 least thirty percent representation of the public employees within the
20 unit, the commission shall hold an election by secret ballot to
21 determine the issue. The ballot shall contain the name of such
22 bargaining representative and of any other bargaining representative
23 showing written proof of at least ten percent representation of the
24 public employees within the unit, together with a choice for any public
25 employee to designate that he does not desire to be represented by any
26 bargaining agent. Where more than one organization is on the ballot
27 and neither of the three or more choices receives a majority vote of
28 the public employees within the bargaining unit, a run-off election
29 shall be held. The run-off ballot shall contain the two choices which
30 received the largest and second-largest number of votes. No question
31 concerning representation may be raised within one year of a
32 certification or attempted certification. Where there is a valid
33 collective bargaining agreement in effect, no question of
34 representation may be raised except during the period not more than
35 ninety nor less than sixty days prior to the expiration date of the
36 agreement. Any agreement which contains a provision for automatic
37 renewal or extension of the agreement shall not be a valid agreement;

1 nor shall any agreement be valid if it provides for a term of existence
2 for more than three years, except that any agreement entered into
3 between school districts and their respective employees may provide for
4 a term of existence of up to six years.

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