
SENATE BILL 5623

State of Washington

66th Legislature

2019 Regular Session

By Senators Van De Wege, Das, Hunt, Salomon, Keiser, Saldaña, Conway, and Hasegawa

Read first time 01/25/19. Referred to Committee on Labor & Commerce.

1 AN ACT Relating to strengthening the rights of workers through
2 collective bargaining by addressing authorizations and revocations,
3 certifications, and the authority to deduct and accept union dues and
4 fees; amending RCW 28B.52.020, 28B.52.030, 28B.52.025, 28B.52.045,
5 41.56.060, 41.56.110, 41.56.113, 41.56.122, 41.59.060, 41.76.020,
6 41.76.045, 41.80.050, 41.80.080, 41.80.100, 47.64.090, 47.64.160,
7 49.39.080, 49.39.090, and 53.18.050; adding a new section to chapter
8 4.24 RCW; adding a new section to chapter 28B.52 RCW; adding a new
9 section to chapter 41.56 RCW; adding a new section to chapter 41.80
10 RCW; adding a new section to chapter 49.39 RCW; and repealing RCW
11 41.59.100.

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

13 NEW SECTION. **Sec. 1.** A new section is added to chapter 4.24 RCW
14 to read as follows:

15 (1) The legislature finds and declares application of this
16 section to pending claims and actions clarifies existing state law
17 rather than changes it. Public employees who paid agency or fair
18 share fees as a condition of public employment in accordance with
19 state law and supreme court precedent before June 27, 2018, had no
20 legitimate expectation of receiving that money under any available
21 cause of action. Public employers and employee organizations who

1 relied on, and abided by, state law and supreme court precedent in
2 deducting and accepting those fees were not liable to refund them.
3 Agency or fair share fees paid for collective bargaining
4 representation that employee organizations were obligated by state
5 law to provide to public employees. Application of this section to
6 pending claims will preserve, rather than interfere with, important
7 reliance interests.

8 (2) Public employers and an employee organization, or any of
9 their employees or agents, are not liable for, and have a complete
10 defense to, any claims or actions under the law of this state for
11 requiring, deducting, receiving, or retaining agency or fair share
12 fees from public employees, and current or former public employees do
13 not have standing to pursue these claims or actions, if the fees were
14 permitted at the time under the laws of this state then in force and
15 paid, through payroll deduction or otherwise, before June 27, 2018.

16 (a) This section applies to all claims and actions pending on the
17 effective date of this section, and to claims and actions filed on or
18 after the effective date of this section.

19 (b) This section may not be interpreted to infer that any relief
20 made unavailable by this section would otherwise be available.

21 (3) This section is necessary to provide certainty to public
22 employers and employee organizations that relied on state law, and to
23 avoid disruption of public employee labor relations, after the
24 supreme court's decision in *Janus v. American Federation of State,*
25 *County, and Municipal Employees, Council 31* (2018) 138 S.Ct. 2448.

26 (4) For purposes of this section:

27 (a) "Employee organization" means any organization that
28 functioned as an exclusive collective bargaining representative for
29 public employees under any statute, ordinance, regulation, or other
30 state or local law, and any labor organization with which it was
31 affiliated.

32 (b) "Public employer" means any public employer including, but
33 not limited to, the state, a court, a city, a county, a city and
34 county, a school district, a community college district, an
35 institution of higher education and its board or regents, a transit
36 district, any public authority, any public agency, any other
37 political subdivision or public corporation, or any other entity
38 considered a public employer for purposes of the labor relations
39 statutes of Washington.

1 **Sec. 2.** RCW 28B.52.020 and 1991 c 238 s 146 are each amended to
2 read as follows:

3 As used in this chapter:

4 (1) "Employee organization" means any organization which includes
5 as members the academic employees of a college district and which has
6 as one of its purposes the representation of the employees in their
7 employment relations with the college district.

8 (2) "Academic employee" means any teacher, counselor, librarian,
9 or department head, who is employed by any college district, whether
10 full or part time, with the exception of the chief administrative
11 officer of, and any administrator in, each college district.

12 (3) "Administrator" means any person employed either full or part
13 time by the college district and who performs administrative
14 functions as at least fifty percent or more of his or her
15 assignments, and has responsibilities to hire, dismiss, or discipline
16 other employees. Administrators shall not be members of the
17 bargaining unit unless a majority of such administrators and a
18 majority of the bargaining unit elect by secret ballot for such
19 inclusion pursuant to rules as adopted in accordance with RCW
20 28B.52.080.

21 (4) "Commission" means the public employment relations
22 commission.

23 (5) "Unfair labor practice" means any unfair labor practice
24 listed in RCW 28B.52.073.

25 (6) (~~"Union security provision" means a provision in a~~
26 ~~collective bargaining agreement under which some or all employees in~~
27 ~~the bargaining unit may be required, as a condition of continued~~
28 ~~employment on or after the thirtieth day following the beginning of~~
29 ~~such employment or the effective date of the provision, whichever is~~
30 ~~later, to become a member of the exclusive bargaining representative~~
31 ~~or pay an agency fee equal to the periodic dues and initiation fees~~
32 ~~uniformly required as a condition of acquiring or retaining~~
33 ~~membership in the exclusive bargaining representative.~~

34 ~~(7))~~ "Exclusive bargaining representative" means any employee
35 organization which has:

36 (a) Been certified or recognized under this chapter as the
37 representative of the employees in an appropriate collective
38 bargaining unit; or

1 (b) Before July 26, 1987, been certified or recognized under a
2 predecessor statute as the representative of the employees in a
3 bargaining unit which continues to be appropriate under this chapter.

4 ~~((8))~~ (7) "Collective bargaining" and "bargaining" mean the
5 performance of the mutual obligation of the representatives of the
6 employer and the exclusive bargaining representative to meet at
7 reasonable times to bargain in good faith in an effort to reach
8 agreement with respect to wages, hours, and other terms and
9 conditions of employment, such as procedures related to nonretention,
10 dismissal, denial of tenure, and reduction in force. Prior law,
11 practice, or interpretation shall be neither restrictive, expansive,
12 nor determinative with respect to the scope of bargaining. A written
13 contract incorporating any agreements reached shall be executed if
14 requested by either party. The obligation to bargain does not compel
15 either party to agree to a proposal or to make a concession.

16 In the event of a dispute between an employer and an exclusive
17 bargaining representative over the matters that are terms and
18 conditions of employment, the commission shall decide which items are
19 mandatory subjects for bargaining.

20 **Sec. 3.** RCW 28B.52.030 and 1991 c 238 s 147 are each amended to
21 read as follows:

22 Representatives of an employee organization, which organization
23 shall by secret ballot have won a majority in an election to
24 represent the academic employees within its college district, shall
25 have the right to bargain (~~as defined in RCW 28B.52.020(8)~~).

26 **Sec. 4.** RCW 28B.52.025 and 1987 c 314 s 5 are each amended to
27 read as follows:

28 Employees have the right to self-organization, to form, join, or
29 assist employee organizations, to bargain collectively through
30 representatives of their own choosing, and also have the right to
31 refrain from any or all of these activities (~~except to the extent
32 that employees may be required to make payments to an exclusive
33 bargaining representative or charitable organization under a union
34 security provision authorized in this chapter~~).

35 NEW SECTION. **Sec. 5.** A new section is added to chapter 28B.52
36 RCW to read as follows:

1 (1) (a) An employee's written, electronic, or recorded voice
2 authorization to have the employer deduct membership dues from the
3 employee's salary must be made by the employee to the exclusive
4 bargaining representative. If the employer receives a request for
5 authorization of deductions, the employer shall as soon as
6 practicable forward the request to the exclusive bargaining
7 representative.

8 (b) Upon receiving notice of the employee's authorization from
9 the exclusive bargaining representative, the employer shall deduct
10 from the employee's salary membership dues and remit the amounts to
11 the exclusive bargaining representative.

12 (c) The employee's authorization remains in effect until
13 expressly revoked by the employee in accordance with the terms and
14 conditions of the authorization.

15 (2) (a) An employee's request to revoke authorization for payroll
16 deductions must be in writing and submitted by the employee to the
17 exclusive bargaining representative in accordance with the terms and
18 conditions of the authorization.

19 (b) After the employer receives confirmation from the exclusive
20 bargaining representative that the employee has revoked authorization
21 for deductions, the employer shall end the deduction effective on the
22 first payroll after receipt of the confirmation.

23 (3) The employer shall rely on information provided by the
24 exclusive bargaining representative regarding the authorization and
25 revocation of deductions.

26 **Sec. 6.** RCW 28B.52.045 and 2018 c 247 s 1 are each amended to
27 read as follows:

28 (1) ~~((a) A collective bargaining agreement may include union~~
29 ~~security provisions, but not a closed shop.~~

30 ~~(b))~~ Upon ~~((written))~~ authorization of an employee within the
31 bargaining unit and after the certification or recognition of the
32 bargaining unit's exclusive bargaining representative, the employer
33 must deduct from the payments to the employee the monthly amount of
34 dues as certified by the secretary of the exclusive bargaining
35 representative and must transmit the same to the treasurer of the
36 exclusive bargaining representative.

37 ~~((e))~~ (2) If the employer and the exclusive bargaining
38 representative of a bargaining unit enter into a collective
39 bargaining agreement that ~~((÷~~

1 ~~(i) Includes a union security provision authorized under (a) of~~
2 ~~this subsection, the employer must enforce the agreement by deducting~~
3 ~~from the payments to bargaining unit members the dues required for~~
4 ~~membership in the exclusive bargaining representative, or, for~~
5 ~~nonmembers thereof, a fee equivalent to the dues; or~~

6 ~~(ii))~~ includes requirements for deductions of other payments
7 ~~((other than the deduction under (c)(i) of this subsection)),~~ the
8 employer must make such deductions upon ~~((written))~~ authorization of
9 the employee.

10 ~~((2) An employee who is covered by a union security provision~~
11 ~~and who asserts a right of nonassociation based on bona fide~~
12 ~~religious tenets or teachings of a church or religious body of which~~
13 ~~such employee is a member shall pay to a nonreligious charity or~~
14 ~~other charitable organization an amount of money equivalent to the~~
15 ~~periodic dues and initiation fees uniformly required as a condition~~
16 ~~of acquiring or retaining membership in the exclusive bargaining~~
17 ~~representative. The charity shall be agreed upon by the employee and~~
18 ~~the employee organization to which such employee would otherwise pay~~
19 ~~the dues and fees. The employee shall furnish written proof that such~~
20 ~~payments have been made. If the employee and the employee~~
21 ~~organization do not reach agreement on such matter, the commission~~
22 ~~shall designate the charitable organization.))~~

23 **Sec. 7.** RCW 41.56.060 and 2005 c 232 s 1 are each amended to
24 read as follows:

25 (1) The commission, after hearing upon reasonable notice, shall
26 decide in each application for certification as an exclusive
27 bargaining representative, the unit appropriate for the purpose of
28 collective bargaining. In determining, modifying, or combining the
29 bargaining unit, the commission shall consider the duties, skills,
30 and working conditions of the public employees; the history of
31 collective bargaining by the public employees and their bargaining
32 representatives; the extent of organization among the public
33 employees; and the desire of the public employees. The commission
34 shall determine the bargaining representative by: (a) Examination of
35 organization membership rolls; (b) comparison of signatures on
36 organization bargaining authorization cards, as provided under
37 section 8 of this act; or (c) conducting an election specifically
38 therefor.

1 (2) For classified employees of school districts and educational
2 service districts:

3 (a) Appropriate bargaining units existing on July 24, 2005, may
4 not be divided into more than one unit without the agreement of the
5 public employer and the certified bargaining representative of the
6 unit; and

7 (b) In making bargaining unit determinations under this section,
8 the commission must consider, in addition to the factors listed in
9 subsection (1) of this section, the avoidance of excessive
10 fragmentation.

11 NEW SECTION. **Sec. 8.** A new section is added to chapter 41.56
12 RCW to read as follows:

13 (1) Except as provided under subsection (2) of this section, if
14 only one employee organization is seeking certification as the
15 exclusive bargaining representative of a bargaining unit for which
16 there is no incumbent exclusive bargaining representative, the
17 commission may, upon the concurrence of the employer and the employee
18 organization, determine the question concerning representation by
19 conducting a cross-check comparing the employee organization's
20 membership records or bargaining authorization cards against the
21 employment records of the employer. A determination through a cross-
22 check process may be made upon a showing of interest submitted in
23 support of the exclusive bargaining representative by more than fifty
24 percent of the employees.

25 (2) This section does not apply to those employees under RCW
26 41.56.026, 41.56.028, 41.56.029, and 41.56.510.

27 **Sec. 9.** RCW 41.56.110 and 2018 c 247 s 2 are each amended to
28 read as follows:

29 (1) Upon the (~~written~~) authorization of an employee within the
30 bargaining unit and after the certification or recognition of the
31 bargaining unit's exclusive bargaining representative, the employer
32 shall deduct from the payments to the employee the monthly amount of
33 dues as certified by the secretary of the exclusive bargaining
34 representative and shall transmit the same to the treasurer of the
35 exclusive bargaining representative.

36 (2) (a) An employee's written, electronic, or recorded voice
37 authorization to have the employer deduct membership dues from the
38 employee's salary must be made by the employee to the exclusive

1 bargaining representative. If the employer receives a request for
2 authorization of deductions, the employer shall as soon as
3 practicable forward the request to the exclusive bargaining
4 representative.

5 (b) Upon receiving notice of the employee's authorization from
6 the exclusive bargaining representative, the employer shall deduct
7 from the employee's salary membership dues and remit the amounts to
8 the exclusive bargaining representative.

9 (c) The employee's authorization remains in effect until
10 expressly revoked by the employee in accordance with the terms and
11 conditions of the authorization.

12 (3) (a) An employee's request to revoke authorization for payroll
13 deductions must be in writing and submitted by the employee to the
14 exclusive bargaining representative in accordance with the terms and
15 conditions of the authorization.

16 (b) After the employer receives confirmation from the exclusive
17 bargaining representative that the employee has revoked authorization
18 for deductions, the employer shall end the deduction effective on the
19 first payroll after receipt of the confirmation.

20 (4) The employer shall rely on information provided by the
21 exclusive bargaining representative regarding the authorization and
22 revocation of deductions.

23 (5) If the employer and the exclusive bargaining representative
24 of a bargaining unit enter into a collective bargaining agreement
25 that ((÷

26 ~~(a) Includes a union security provision authorized under RCW~~
27 ~~41.56.122, the employer must enforce the agreement by deducting from~~
28 ~~the payments to bargaining unit members the dues required for~~
29 ~~membership in the exclusive bargaining representative, or, for~~
30 ~~nonmembers thereof, a fee equivalent to the dues; or~~

31 ~~(b))~~ includes requirements for deductions of other payments
32 ~~((other than the deduction under (a) of this subsection)),~~ the
33 employer must make such deductions upon ~~((written))~~ authorization of
34 the employee.

35 **Sec. 10.** RCW 41.56.113 and 2018 c 278 s 29 are each amended to
36 read as follows:

37 (1) This subsection (1) applies only if the state makes the
38 payments directly to a provider.

1 (a) Upon the (~~written~~) authorization of an individual provider
2 who contracts with the department of social and health services, a
3 family child care provider, an adult family home provider, or a
4 language access provider within the bargaining unit and after the
5 certification or recognition of the bargaining unit's exclusive
6 bargaining representative, the state as payor, but not as the
7 employer, shall, subject to (c) of this subsection, deduct from the
8 payments to an individual provider who contracts with the department
9 of social and health services, a family child care provider, an adult
10 family home provider, or a language access provider the monthly
11 amount of dues as certified by the secretary of the exclusive
12 bargaining representative and shall transmit the same to the
13 treasurer of the exclusive bargaining representative.

14 (b) (i) An employee's written, electronic, or recorded voice
15 authorization to have the employer deduct membership dues from the
16 employee's salary must be made by the employee to the exclusive
17 bargaining representative. If the employer receives a request for
18 authorization of deductions, the employer shall as soon as
19 practicable forward the request to the exclusive bargaining
20 representative.

21 (ii) Upon receiving notice of the employee's authorization from
22 the exclusive bargaining representative, the employer shall deduct
23 from the employee's salary membership dues and remit the amounts to
24 the exclusive bargaining representative.

25 (iii) The employee's authorization remains in effect until
26 expressly revoked by the employee in accordance with the terms and
27 conditions of the authorization.

28 (iv) An employee's request to revoke authorization for payroll
29 deductions must be in writing and submitted by the employee to the
30 exclusive bargaining representative in accordance with the terms and
31 conditions of the authorization.

32 (v) After the employer receives confirmation from the exclusive
33 bargaining representative that the employee has revoked authorization
34 for deductions, the employer shall end the deduction effective on the
35 first payroll after receipt of the confirmation.

36 (vi) The employer shall rely on information provided by the
37 exclusive bargaining representative regarding the authorization and
38 revocation of deductions.

39 (vii) If the governor and the exclusive bargaining representative
40 of a bargaining unit of individual providers who contract with the

1 department of social and health services, family child care
2 providers, adult family home providers, or language access providers
3 enter into a collective bargaining agreement that(~~+~~

4 ~~(i) Includes a union security provision authorized in RCW~~
5 ~~41.56.122, the state as payor, but not as the employer, shall,~~
6 ~~subject to (c) of this subsection, enforce the agreement by deducting~~
7 ~~from the payments to bargaining unit members the dues required for~~
8 ~~membership in the exclusive bargaining representative, or, for~~
9 ~~nonmembers thereof, a fee equivalent to the dues; or~~

10 ~~(ii))~~ includes requirements for deductions of other payments
11 ~~((other than the deduction under (b)(i) of this subsection)),~~ the
12 state, as payor, but not as the employer, shall, subject to (c) of
13 this subsection, make such deductions upon ~~((written))~~ authorization
14 of the individual provider, family child care provider, adult family
15 home provider, or language access provider.

16 (c)(i) The initial additional costs to the state in making
17 deductions from the payments to individual providers, family child
18 care providers, adult family home providers, and language access
19 providers under this section shall be negotiated, agreed upon in
20 advance, and reimbursed to the state by the exclusive bargaining
21 representative.

22 (ii) The allocation of ongoing additional costs to the state in
23 making deductions from the payments to individual providers, family
24 child care providers, adult family home providers, or language access
25 providers under this section shall be an appropriate subject of
26 collective bargaining between the exclusive bargaining representative
27 and the governor unless prohibited by another statute. If no
28 collective bargaining agreement containing a provision allocating the
29 ongoing additional cost is entered into between the exclusive
30 bargaining representative and the governor, or if the legislature
31 does not approve funding for the collective bargaining agreement as
32 provided in RCW 74.39A.300, 41.56.028, 41.56.029, or 41.56.510, as
33 applicable, the ongoing additional costs to the state in making
34 deductions from the payments to individual providers, family child
35 care providers, adult family home providers, or language access
36 providers under this section shall be negotiated, agreed upon in
37 advance, and reimbursed to the state by the exclusive bargaining
38 representative.

39 ~~((d) The governor and the exclusive bargaining representative of~~
40 ~~a bargaining unit of family child care providers may not enter into a~~

1 collective bargaining agreement that contains a union security
2 provision unless the agreement contains a process, to be administered
3 by the exclusive bargaining representative of a bargaining unit of
4 family child care providers, for hardship dispensation for license-
5 exempt family child care providers who are also temporary assistance
6 for needy families recipients or WorkFirst participants.))

7 (2) This subsection (2) applies only if the state does not make
8 the payments directly to a language access provider. ((a)) Upon the
9 ((written)) authorization of a language access provider within the
10 bargaining unit and after the certification or recognition of the
11 bargaining unit's exclusive bargaining representative, the state
12 shall require through its contracts with third parties that:

13 ((i)) (a) The monthly amount of dues as certified by the
14 secretary of the exclusive bargaining representative be deducted from
15 the payments to the language access provider and transmitted to the
16 treasurer of the exclusive bargaining representative; and

17 ((ii)) (b) A record showing that dues have been deducted as
18 specified in (a) ((i)) of this subsection be provided to the state.

19 ((b) If the governor and the exclusive bargaining representative
20 of the bargaining unit of language access providers enter into a
21 collective bargaining agreement that includes a union security
22 provision authorized in RCW 41.56.122, the state shall enforce the
23 agreement by requiring through its contracts with third parties that:

24 (i) The monthly amount of dues required for membership in the
25 exclusive bargaining representative as certified by the secretary of
26 the exclusive bargaining representative, or, for nonmembers thereof,
27 a fee equivalent to the dues, be deducted from the payments to the
28 language access provider and transmitted to the treasurer of the
29 exclusive bargaining representative; and

30 (ii) A record showing that dues or fees have been deducted as
31 specified in (a) (i) of this subsection be provided to the state.))

32 (3) This subsection (3) applies only to individual providers who
33 contract with the department of social and health services. If the
34 governor and the exclusive bargaining representative of a bargaining
35 unit of individual providers enter into a collective bargaining
36 agreement that meets the requirements in subsection (1) (b) ((i) or
37 (ii)) of this section, and the state as payor, but not as the
38 employer, contracts with a third-party entity to perform its
39 obligations as set forth in those subsections, and that third-party
40 contracts with the exclusive bargaining representative to perform

1 voluntary deductions for individual providers, the exclusive
2 bargaining representative may direct the third-party to make the
3 deductions required by the collective bargaining agreement, at the
4 expense of the exclusive bargaining representative, so long as such
5 deductions by the exclusive bargaining representative do not conflict
6 with any federal or state law.

7 **Sec. 11.** RCW 41.56.122 and 1975 1st ex.s. c 296 s 22 are each
8 amended to read as follows:

9 A collective bargaining agreement may(~~+~~

10 ~~(1) Contain union security provisions: PROVIDED, That nothing in~~
11 ~~this section shall authorize a closed shop provision: PROVIDED~~
12 ~~FURTHER, That agreements involving union security provisions must~~
13 ~~safeguard the right of nonassociation of public employees based on~~
14 ~~bona fide religious tenets or teachings of a church or religious body~~
15 ~~of which such public employee is a member. Such public employee shall~~
16 ~~pay an amount of money equivalent to regular union dues and~~
17 ~~initiation fee to a nonreligious charity or to another charitable~~
18 ~~organization mutually agreed upon by the public employee affected and~~
19 ~~the bargaining representative to which such public employee would~~
20 ~~otherwise pay the dues and initiation fee. The public employee shall~~
21 ~~furnish written proof that such payment has been made. If the public~~
22 ~~employee and the bargaining representative do not reach agreement on~~
23 ~~such matter, the commission shall designate the charitable~~
24 ~~organization. When there is a conflict between any collective~~
25 ~~bargaining agreement reached by a public employer and a bargaining~~
26 ~~representative on a union security provision and any charter,~~
27 ~~ordinance, rule, or regulation adopted by the public employer or its~~
28 ~~agents, including but not limited to, a civil service commission, the~~
29 ~~terms of the collective bargaining agreement shall prevail.~~

30 ~~(2))~~ provide for binding arbitration of a labor dispute arising
31 from the application or the interpretation of the matters contained
32 in a collective bargaining agreement.

33 **Sec. 12.** RCW 41.59.060 and 2018 c 247 s 3 are each amended to
34 read as follows:

35 (1) Employees shall have the right to self-organization, to form,
36 join, or assist employee organizations, to bargain collectively
37 through representatives of their own choosing, and shall also have
38 the right to refrain from any or all of such activities (~~except to~~

1 ~~the extent that employees may be required to pay a fee to any~~
2 ~~employee organization under an agency shop agreement authorized in~~
3 ~~this chapter).~~

4 (2) (a) Upon (~~written~~) authorization of an employee within the
5 bargaining unit and after the certification or recognition of the
6 bargaining unit's exclusive bargaining representative, the employer
7 must deduct from the payments to the employee the monthly amount of
8 dues as certified by the secretary of the exclusive bargaining
9 representative and must transmit the same to the treasurer of the
10 exclusive bargaining representative.

11 (b) An employee's written, electronic, or recorded voice
12 authorization to have the employer deduct membership dues from the
13 employee's salary must be made by the employee to the exclusive
14 bargaining representative. If the employer receives a request for
15 authorization of deductions, the employer shall as soon as
16 practicable forward the request to the exclusive bargaining
17 representative.

18 (c) Upon receiving notice of the employee's authorization from
19 the exclusive bargaining representative, the employer shall deduct
20 from the employee's salary membership dues and remit the amounts to
21 the exclusive bargaining representative.

22 (d) The employee's authorization remains in effect until
23 expressly revoked by the employee in accordance with the terms and
24 conditions of the authorization.

25 (e) An employee's request to revoke authorization for payroll
26 deductions must be in writing and submitted by the employee to the
27 exclusive bargaining representative in accordance with the terms and
28 conditions of the authorization.

29 (f) After the employer receives confirmation from the exclusive
30 bargaining representative that the employee has revoked authorization
31 for deductions, the employer shall end the deduction effective on the
32 first payroll after receipt of the confirmation.

33 (g) The employer shall rely on information provided by the
34 exclusive bargaining representative regarding the authorization and
35 revocation of deductions.

36 (3) If the employer and the exclusive bargaining representative
37 of a bargaining unit enter into a collective bargaining agreement
38 that(~~÷~~

39 ~~(i) Includes a union security provision authorized under RCW~~
40 ~~41.59.100, the employer must enforce the agreement by deducting from~~

1 ~~the payments to bargaining unit members the dues required for~~
2 ~~membership in the exclusive bargaining representative, or, for~~
3 ~~nonmembers thereof, a fee equivalent to the dues; or~~

4 ~~(ii))~~ includes requirements for deductions of other payments
5 ~~((other than the deduction under (b)(i) of this subsection)),~~ the
6 employer must make such deductions upon ~~((written))~~ authorization of
7 the employee.

8 **Sec. 13.** RCW 41.76.020 and 2002 c 356 s 7 are each amended to
9 read as follows:

10 The commission shall certify exclusive bargaining representatives
11 in accordance with the procedures specified in this section.

12 (1) No question concerning representation may be raised within
13 one year following issuance of a certification under this section.

14 (2) If there is a valid collective bargaining agreement in
15 effect, no question concerning representation may be raised except
16 during the period not more than ninety nor less than sixty days prior
17 to the expiration date of the agreement: PROVIDED, That in the event
18 a valid collective bargaining agreement, together with any renewals
19 or extensions thereof, has been or will be in existence for more than
20 three years, then a question concerning representation may be raised
21 not more than ninety nor less than sixty days prior to the third
22 anniversary date or any subsequent anniversary date of the agreement;
23 and if the exclusive bargaining representative is removed as the
24 result of such procedure, the collective bargaining agreement shall
25 be deemed to be terminated as of the date of the certification or the
26 anniversary date following the filing of the petition, whichever is
27 later.

28 (3) An employee organization seeking certification as exclusive
29 bargaining representative of a bargaining unit, or faculty members
30 seeking decertification of their exclusive bargaining representative,
31 must make a confidential showing to the commission of credible
32 evidence demonstrating that at least thirty percent of the faculty in
33 the bargaining unit are in support of the petition. The petition must
34 indicate the name, address, and telephone number of any employee
35 organization known to claim an interest in the bargaining unit.

36 (4) A petition filed by an employer must be supported by credible
37 evidence demonstrating the good faith basis on which the employer
38 claims the existence of a question concerning the representation of
39 its faculty.

1 (5) Any employee organization which makes a confidential showing
2 to the commission of credible evidence demonstrating that it has the
3 support of at least ten percent of the faculty in the bargaining unit
4 involved is entitled to intervene in proceedings under this section
5 and to have its name listed as a choice on the ballot in an election
6 conducted by the commission.

7 (6) The commission shall determine any question concerning
8 representation by conducting a secret ballot election among the
9 faculty members in the bargaining unit, except under the following
10 circumstances:

11 (a) If only one employee organization is seeking certification as
12 exclusive bargaining representative of a bargaining unit for which
13 there is no incumbent exclusive bargaining representative, the
14 commission may, upon the concurrence of the employer and the employee
15 organization, determine the question concerning representation by
16 conducting a cross-check comparing the employee organization's
17 membership records or bargaining authorization cards against the
18 employment records of the employer. A determination through a cross-
19 check process may be made upon a showing of interest submitted in
20 support of the exclusive bargaining representative by more than fifty
21 percent of the employees; or

22 (b) If the commission determines that a serious unfair labor
23 practice has been committed which interfered with the election
24 process and precludes the holding of a fair election, the commission
25 may determine the question concerning representation by conducting a
26 cross-check comparing the employee organization's membership records
27 or bargaining authorization cards against the employment records of
28 the employer.

29 (7) The representation election ballot must contain a choice for
30 each employee organization qualifying under subsection (3) or (5) of
31 this section, together with a choice for no representation. The
32 representation election shall be determined by the majority of the
33 valid ballots cast. If there are three or more choices on the ballot
34 and none of the three or more choices receives a majority of the
35 valid ballots cast, a runoff election shall be conducted between the
36 two choices receiving the highest and second highest numbers of
37 votes.

38 (8) The commission shall certify as the exclusive bargaining
39 representative the employee organization that has been determined to
40 represent a majority of faculty members in a bargaining unit.

1 **Sec. 14.** RCW 41.76.045 and 2018 c 247 s 4 are each amended to
2 read as follows:

3 (1) (a) ~~((A collective bargaining agreement may include union~~
4 ~~security provisions, but not a closed shop.~~

5 ~~(b))~~ Upon ~~((written))~~ authorization of an employee within the
6 bargaining unit and after the certification or recognition of the
7 bargaining unit's exclusive bargaining representative, the employer
8 must deduct from the payments to the employee the monthly amount of
9 dues as certified by the secretary of the exclusive bargaining
10 representative and must transmit the same to the treasurer of the
11 exclusive bargaining representative.

12 ~~((e))~~ (b) An employee's written, electronic, or recorded voice
13 authorization to have the employer deduct membership dues from the
14 employee's salary must be made by the employee to the exclusive
15 bargaining representative. If the employer receives a request for
16 authorization of deductions, the employer shall as soon as
17 practicable forward the request to the exclusive bargaining
18 representative.

19 (c) Upon receiving notice of the employee's authorization from
20 the exclusive bargaining representative, the employer shall deduct
21 from the employee's salary membership dues and remit the amounts to
22 the exclusive bargaining representative.

23 (d) The employee's authorization remains in effect until
24 expressly revoked by the employee in accordance with the terms and
25 conditions of the authorization.

26 (e) An employee's request to revoke authorization for payroll
27 deductions must be in writing and submitted by the employee to the
28 exclusive bargaining representative in accordance with the terms and
29 conditions of the authorization.

30 (f) After the employer receives confirmation from the exclusive
31 bargaining representative that the employee has revoked authorization
32 for deductions, the employer shall end the deduction effective on the
33 first payroll after receipt of the confirmation.

34 (g) The employer shall rely on information provided by the
35 exclusive bargaining representative regarding the authorization and
36 revocation of deductions.

37 (2) If the employer and the exclusive bargaining representative
38 of a bargaining unit enter into a collective bargaining agreement
39 that ~~((÷~~

1 ~~(i) Includes a union security provision authorized under (a) of~~
2 ~~this subsection, the employer must enforce the agreement by deducting~~
3 ~~from the payments to bargaining unit members the dues required for~~
4 ~~membership in the exclusive bargaining representative, or, for~~
5 ~~nonmembers thereof, a fee equivalent to the dues; or~~

6 ~~(ii))~~ includes requirements for deductions of other payments
7 ~~((other than the deduction under (c)(i) of this subsection)),~~ the
8 employer must make such deductions upon ~~((written))~~ authorization of
9 the employee.

10 ~~((2) A faculty member who is covered by a union security~~
11 ~~provision and who asserts a right of nonassociation based on bona~~
12 ~~fide religious tenets or teachings of a church or religious body of~~
13 ~~which such faculty member is a member shall pay to a nonreligious~~
14 ~~charity or other charitable organization an amount of money~~
15 ~~equivalent to the periodic dues and initiation fees uniformly~~
16 ~~required as a condition of acquiring or retaining membership in the~~
17 ~~exclusive bargaining representative. The charity shall be agreed upon~~
18 ~~by the faculty member and the employee organization to which such~~
19 ~~faculty member would otherwise pay the dues and fees. The faculty~~
20 ~~member shall furnish written proof that such payments have been made.~~
21 ~~If the faculty member and the employee organization do not reach~~
22 ~~agreement on such matter, the dispute shall be submitted to the~~
23 ~~commission for determination.))~~

24 **Sec. 15.** RCW 41.80.050 and 2002 c 354 s 306 are each amended to
25 read as follows:

26 Except as may be specifically limited by this chapter, employees
27 shall have the right to self-organization, to form, join, or assist
28 employee organizations, and to bargain collectively through
29 representatives of their own choosing for the purpose of collective
30 bargaining free from interference, restraint, or coercion. Employees
31 shall also have the right to refrain from any or all such activities
32 ~~((except to the extent that they may be required to pay a fee to an~~
33 ~~exclusive bargaining representative under a union security provision~~
34 ~~authorized by this chapter)).~~

35 NEW SECTION. **Sec. 16.** A new section is added to chapter 41.80
36 RCW to read as follows:

37 If only one employee organization is seeking certification as
38 exclusive bargaining representative of a bargaining unit for which

1 there is no incumbent exclusive bargaining representative, the
2 commission may, upon the concurrence of the employer and the employee
3 organization, determine the question concerning representation by
4 conducting a cross-check comparing the employee organization's
5 membership records or bargaining authorization cards against the
6 employment records of the employer. A determination through a cross-
7 check process may be made upon a showing of interest submitted in
8 support of the exclusive bargaining representative by more than fifty
9 percent of the employees.

10 **Sec. 17.** RCW 41.80.080 and 2002 c 354 s 309 are each amended to
11 read as follows:

12 (1) The commission shall determine all questions pertaining to
13 representation and shall administer all elections and cross-check
14 procedures, and be responsible for the processing and adjudication of
15 all disputes that arise as a consequence of elections and cross-check
16 procedures. The commission shall adopt rules that provide for at
17 least the following:

- 18 (a) Secret balloting;
- 19 (b) Consulting with employee organizations;
- 20 (c) Access to lists of employees, job classification, work
21 locations, and home mailing addresses;
- 22 (d) Absentee voting;
- 23 (e) Procedures for the greatest possible participation in voting;
- 24 (f) Campaigning on the employer's property during working hours;
- 25 and
- 26 (g) Election observers.

27 (2)(a) If an employee organization has been certified as the
28 exclusive bargaining representative of the employees of a bargaining
29 unit, the employee organization may act for and negotiate master
30 collective bargaining agreements that will include within the
31 coverage of the agreement all employees in the bargaining unit as
32 provided in RCW 41.80.010(2)(a). However, if a master collective
33 bargaining agreement is in effect for the exclusive bargaining
34 representative, it shall apply to the bargaining unit for which the
35 certification has been issued. Nothing in this section requires the
36 parties to engage in new negotiations during the term of that
37 agreement.

1 (b) This subsection (2) does not apply to exclusive bargaining
2 representatives who represent employees of institutions of higher
3 education.

4 (3) The certified exclusive bargaining representative shall be
5 responsible for representing the interests of all the employees in
6 the bargaining unit. This section shall not be construed to limit an
7 exclusive representative's right to exercise its discretion to refuse
8 to process grievances of employees that are unmeritorious.

9 (4) No question concerning representation may be raised if:

10 (a) Fewer than twelve months have elapsed since the last
11 certification or election; or

12 (b) A valid collective bargaining agreement exists covering the
13 unit, except for that period of no more than one hundred twenty
14 calendar days nor less than ninety calendar days before the
15 expiration of the contract.

16 **Sec. 18.** RCW 41.80.100 and 2018 c 247 s 5 are each amended to
17 read as follows:

18 (1) ~~((A collective bargaining agreement may contain a union
19 security provision requiring as a condition of employment the
20 payment, no later than the thirtieth day following the beginning of
21 employment or July 1, 2004, whichever is later, of an agency shop fee
22 to the employee organization that is the exclusive bargaining
23 representative for the bargaining unit in which the employee is
24 employed. The amount of the fee shall be equal to the amount required
25 to become a member in good standing of the employee organization.
26 Each employee organization shall establish a procedure by which any
27 employee so requesting may pay a representation fee no greater than
28 the part of the membership fee that represents a pro rata share of
29 expenditures for purposes germane to the collective bargaining
30 process, to contract administration, or to pursuing matters affecting
31 wages, hours, and other conditions of employment.~~

32 ~~(2) An employee who is covered by a union security provision and
33 who asserts a right of nonassociation based on bona fide religious
34 tenets, or teachings of a church or religious body of which the
35 employee is a member, shall, as a condition of employment, make
36 payments to the employee organization, for purposes within the
37 program of the employee organization as designated by the employee
38 that would be in harmony with his or her individual conscience. The
39 amount of the payments shall be equal to the periodic dues and fees~~

1 uniformly required as a condition of acquiring or retaining
2 membership in the employee organization minus any included monthly
3 premiums for insurance programs sponsored by the employee
4 organization. The employee shall not be a member of the employee
5 organization but is entitled to all the representation rights of a
6 member of the employee organization.

7 ~~(3)(a))~~ Upon ~~((written))~~ authorization of an employee within the
8 bargaining unit and after the certification or recognition of the
9 bargaining unit's exclusive bargaining representative, the employer
10 must deduct from the payments to the employee the monthly amount of
11 dues as certified by the secretary of the exclusive bargaining
12 representative and must transmit the same to the treasurer of the
13 exclusive bargaining representative.

14 ~~((b))~~ (2)(a) If the employer and the exclusive bargaining
15 representative of a bargaining unit enter into a collective
16 bargaining agreement that ~~((:~~

17 ~~(i)~~ ~~Includes a union security provision authorized under~~
18 ~~subsection (1) of this section, the employer must enforce the~~
19 ~~agreement by deducting from the payments to bargaining unit members~~
20 ~~the dues required for membership in the exclusive bargaining~~
21 ~~representative, or, for nonmembers thereof, a fee equivalent to the~~
22 ~~dues; or~~

23 ~~(ii))~~ includes requirements for deductions of other payments
24 ~~((other than the deduction under (b)(i) of this subsection)),~~ the
25 employer must make such deductions upon ~~((written))~~ authorization of
26 the employee.

27 ~~((4) Employee organizations that before July 1, 2004, were~~
28 ~~entitled to the benefits of this section shall continue to be~~
29 ~~entitled to these benefits.))~~ (b) An employee's written, electronic,
30 or recorded voice authorization to have the employer deduct
31 membership dues from the employee's salary must be made by the
32 employee to the exclusive bargaining representative. If the employer
33 receives a request for authorization of deductions, the employer
34 shall as soon as practicable forward the request to the exclusive
35 bargaining representative.

36 (c) Upon receiving notice of the employee's authorization, the
37 employer shall deduct from the employee's salary membership dues and
38 remit the amounts to the exclusive bargaining representative.

1 (d) The employee's authorization remains in effect until
2 expressly revoked by the employee in accordance with the terms and
3 conditions of the authorization.

4 (e) An employee's request to revoke authorization for payroll
5 deductions must be in writing and submitted by the employee to the
6 exclusive bargaining representative in accordance with the terms and
7 conditions of the authorization.

8 (f) After the employer receives confirmation from the exclusive
9 bargaining representative that the employee has revoked authorization
10 for deductions, the employer shall end the deduction effective on the
11 first payroll after receipt of the confirmation.

12 (g) The employer shall rely on information provided by the
13 exclusive bargaining representative regarding the authorization and
14 revocation of deductions.

15 **Sec. 19.** RCW 47.64.090 and 2011 1st sp.s. c 16 s 25 are each
16 amended to read as follows:

17 (1) Except as provided in RCW 47.60.656 and subsections (2) and
18 (4) of this section, or as provided in RCW 36.54.130 and subsection
19 (3) of this section, if any party assumes the operation and
20 maintenance of any ferry or ferry system by rent, lease, or charter
21 from the department of transportation, such party shall assume and be
22 bound by all the provisions herein and any agreement or contract for
23 such operation of any ferry or ferry system entered into by the
24 department shall provide that the wages to be paid, hours of
25 employment, working conditions, and seniority rights of employees
26 will be established by the commission in accordance with the terms
27 and provisions of this chapter and it shall further provide that all
28 labor disputes shall be adjudicated in accordance with chapter 47.64
29 RCW.

30 (2) If a public transportation benefit area meeting the
31 requirements of RCW 36.57A.200 has voter approval to operate
32 passenger-only ferry service, it may enter into an agreement with
33 Washington State Ferries to rent, lease, or purchase passenger-only
34 vessels, related equipment, or terminal space for purposes of loading
35 and unloading the passenger-only ferry. Charges for the vessels,
36 equipment, and space must be fair market value taking into account
37 the public benefit derived from the ferry service. A benefit area or
38 subcontractor of that benefit area that qualifies under this

1 subsection is not subject to the restrictions of subsection (1) of
2 this section, but is subject to:

3 (a) The terms of those collective bargaining agreements that it
4 or its subcontractors negotiate with the exclusive bargaining
5 representatives of its or its subcontractors' employees under chapter
6 41.56 RCW or the National Labor Relations Act, as applicable;

7 (b) Unless otherwise prohibited by federal or state law, a
8 requirement that the benefit area and any contract with its
9 subcontractors, give preferential hiring to former employees of the
10 department of transportation who separated from employment with the
11 department because of termination of the ferry service by the state
12 of Washington; and

13 (c) Unless otherwise prohibited by federal or state law, a
14 requirement that the benefit area and any contract with its
15 subcontractors, on any questions concerning representation of
16 employees for collective bargaining purposes, may be determined by
17 conducting a cross-check comparing an employee organization's
18 membership records or bargaining authorization cards against the
19 employment records of the employer. A determination through a cross-
20 check process may be made upon a showing of interest submitted in
21 support of the exclusive bargaining representative by more than fifty
22 percent of the employees.

23 (3) If a ferry district is formed under RCW 36.54.110 to operate
24 passenger-only ferry service, it may enter into an agreement with
25 Washington State Ferries to rent, lease, or purchase vessels, related
26 equipment, or terminal space for purposes of loading and unloading
27 the ferry. Charges for the vessels, equipment, and space must be fair
28 market value taking into account the public benefit derived from the
29 ferry service. A ferry district or subcontractor of that district
30 that qualifies under this subsection is not subject to the
31 restrictions of subsection (1) of this section, but is subject to:

32 (a) The terms of those collective bargaining agreements that it
33 or its subcontractors negotiate with the exclusive bargaining
34 representatives of its or its subcontractors' employees under chapter
35 41.56 RCW or the national labor relations act, as applicable;

36 (b) Unless otherwise prohibited by federal or state law, a
37 requirement that the ferry district and any contract with its
38 subcontractors, give preferential hiring to former employees of the
39 department of transportation who separated from employment with the

1 department because of termination of the ferry service by the state
2 of Washington; and

3 (c) Unless otherwise prohibited by federal or state law, a
4 requirement that the ferry district and any contract with its
5 subcontractors, on any questions concerning representation of
6 employees for collective bargaining purposes, may be determined by
7 conducting a cross-check comparing an employee organization's
8 membership records or bargaining authorization cards against the
9 employment records of the employer.

10 (4) The department of transportation shall make its terminal,
11 dock, and pier space available to private operators of passenger-only
12 ferries if the space can be made available without limiting the
13 operation of car ferries operated by the department. These private
14 operators are not bound by the provisions of subsection (1) of this
15 section. Charges for the equipment and space must be fair market
16 value taking into account the public benefit derived from the
17 passenger-only ferry service.

18 **Sec. 20.** RCW 47.64.160 and 1983 c 15 s 7 are each amended to
19 read as follows:

20 (1) A collective bargaining agreement may include ((union
21 security provisions including an agency shop, but not a union or
22 closed shop. If an agency shop provision is agreed to,)) a provision
23 for members of the bargaining unit to authorize the deduction of
24 membership dues from their salary, and the employer shall enforce it
25 by deducting from the salary payments to members of the bargaining
26 unit the dues required of membership ((in the bargaining
27 representative, or, for nonmembers thereof, a fee equivalent to such
28 dues. All union security provisions shall safeguard the right of
29 nonassociation of employees based on bona fide religious tenets or
30 teachings of a church or religious body of which such employee is a
31 member. Such employee shall pay an amount of money equivalent to
32 regular dues and fees to a nonreligious charity or to another
33 charitable organization mutually agreed upon by the employee affected
34 and the bargaining representative to which such employee would
35 otherwise pay the dues and fees. The employee shall furnish written
36 proof that such payment has been made. If the employee and the
37 bargaining representative do not reach agreement on such matter, the
38 commission shall designate the charitable organization)). An
39 employee's written, electronic, or recorded voice authorization to

1 have the employer deduct membership dues from the employee's salary
2 must be made by the employee to the exclusive bargaining
3 representative. If the employer receives a request for authorization
4 of deductions, the employer shall as soon as practicable forward the
5 request to the exclusive bargaining representative.

6 (2) (a) Upon receiving notice of the employee's authorization from
7 the exclusive bargaining representative, the employer shall deduct
8 from the employee's salary membership dues and remit the amounts to
9 the exclusive bargaining representative.

10 (b) The employee's authorization remains in effect until
11 expressly revoked by the employee in accordance with the terms and
12 conditions of the authorization.

13 (c) An employee's request to revoke authorization for payroll
14 deductions must be in writing and submitted by the employee to the
15 exclusive bargaining representative in accordance with the terms and
16 conditions of the authorization.

17 (d) After the employer receives confirmation from the exclusive
18 bargaining representative that the employee has revoked authorization
19 for deductions, the employer shall end the deduction effective on the
20 first payroll after receipt of the confirmation.

21 (e) The employer shall rely on information provided by the
22 exclusive bargaining representative regarding the authorization and
23 revocation of deductions.

24 NEW SECTION. Sec. 21. A new section is added to chapter 49.39
25 RCW to read as follows:

26 If only one employee organization is seeking certification as
27 exclusive bargaining representative of a bargaining unit for which
28 there is no incumbent exclusive bargaining representative, the
29 commission may, upon the concurrence of the employer and the employee
30 organization, determine the question concerning representation by
31 conducting a cross-check comparing the employee organization's
32 membership records or bargaining authorization cards against the
33 employment records of the employer. A determination through a cross-
34 check process may be made upon a showing of interest submitted in
35 support of the exclusive bargaining representative by more than fifty
36 percent of the employees.

37 **Sec. 22.** RCW 49.39.080 and 2018 c 247 s 6 are each amended to
38 read as follows:

1 (1) Upon the ((written)) authorization of an employee within the
2 bargaining unit and after the certification or recognition of the
3 bargaining unit's exclusive bargaining representative, the employer
4 must deduct from the payments to the employee the monthly amount of
5 dues as certified by the secretary of the exclusive bargaining
6 representative and must transmit the same to the treasurer of the
7 exclusive bargaining representative.

8 (2) (a) An employee's written, electronic, or recorded voice
9 authorization to have the employer deduct membership dues from the
10 employee's salary must be made by the employee to the exclusive
11 bargaining representative. If the employer receives a request for
12 authorization of deductions, the employer shall as soon as
13 practicable forward the request to the exclusive bargaining
14 representative.

15 (b) Upon receiving notice of the employee's authorization from
16 the exclusive bargaining representative, the employer shall deduct
17 from the employee's salary membership dues and remit the amounts to
18 the exclusive bargaining representative.

19 (c) The employee's authorization remains in effect until
20 expressly revoked by the employee in accordance with the terms and
21 conditions of the authorization.

22 (d) An employee's request to revoke authorization for payroll
23 deductions must be in writing and submitted by the employee to the
24 exclusive bargaining representative in accordance with the terms and
25 conditions of the authorization.

26 (e) After the employer receives confirmation from the exclusive
27 bargaining representative that the employee has revoked authorization
28 for deductions, the employer shall end the deduction effective on the
29 first payroll after receipt of the confirmation.

30 (f) The employer shall rely on information provided by the
31 exclusive bargaining representative regarding the authorization and
32 revocation of deductions.

33 (3) If the employer and the exclusive bargaining representative
34 of a bargaining unit enter into a collective bargaining agreement
35 that (÷

36 ~~(a) Includes a union security provision authorized under RCW~~
37 ~~49.39.090, the employer must enforce the agreement by deducting from~~
38 ~~the payments to bargaining unit members the dues required for~~
39 ~~membership in the exclusive bargaining representative, or, for~~
40 ~~nonmembers thereof, a fee equivalent to the dues; or~~

1 ~~(b))~~ includes requirements for deductions of other payments
2 (~~other than the deduction under (a) of this subsection~~), the
3 employer must make such deductions upon (~~written~~) authorization of
4 the employee.

5 **Sec. 23.** RCW 49.39.090 and 2010 c 6 s 10 are each amended to
6 read as follows:

7 A collective bargaining agreement may(~~+~~

8 ~~(1) Contain union security provisions. However, nothing in this~~
9 ~~section authorizes a closed shop provision. Agreements involving~~
10 ~~union security provisions must safeguard the right of nonassociation~~
11 ~~of employees based on bona fide religious tenets or teachings of a~~
12 ~~church or religious body of which the symphony musician is a member.~~
13 ~~The symphony musician must pay an amount of money equivalent to~~
14 ~~regular union dues and initiation fee to a nonreligious charity or to~~
15 ~~another charitable organization mutually agreed upon by the symphony~~
16 ~~musician affected and the bargaining representative to which the~~
17 ~~symphony musician would otherwise pay the dues and initiation fee.~~
18 ~~The symphony musician must furnish written proof that the payment has~~
19 ~~been made. If the symphony musician and the bargaining representative~~
20 ~~do not reach agreement on this matter, the commission must designate~~
21 ~~the charitable organization;~~

22 ~~(2))~~ provide for binding arbitration of a labor dispute arising
23 from the application or the interpretation of the matters contained
24 in a collective bargaining agreement.

25 **Sec. 24.** RCW 53.18.050 and 1967 c 101 s 5 are each amended to
26 read as follows:

27 A labor agreement signed by a port district may contain:

28 (1) Provisions that the employee organization chosen by a
29 majority of the employees in a grouping or unit will be recognized as
30 the representative of all employees in the classification included in
31 such grouping or unit;

32 (2) Maintenance of membership provisions including dues (~~check-~~
33 ~~off~~) cross-check arrangements as provided in section 8 of this act;
34 and

35 (3) Provisions providing for binding arbitration, the expenses
36 being equally borne by the parties, in matters of contract
37 interpretation and the settlement of jurisdictional disputes.

1 NEW SECTION. **Sec. 25.** RCW 41.59.100 (Union security provisions—
2 Scope—Agency shop provision, collection of dues or fees) and 1975 1st
3 ex.s. c 288 s 11 are each repealed.

4 NEW SECTION. **Sec. 26.** If any provision of this act or its
5 application to any person or circumstance is held invalid, the
6 remainder of the act or the application of the provision to other
7 persons or circumstances is not affected.

--- END ---