

# Multiple Agency Fiscal Note Summary

<b>Bill Number:</b> 6194 E 2S SB	<b>Title:</b> Legislative employees
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## Estimated Cash Receipts

NONE

## Estimated Operating Expenditures

Agency Name	2023-25				2025-27				2027-29			
	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total
Office of State Legislative Labor Relations	.0	0	0	0	.0	0	0	0	.0	0	0	0
Office of Attorney General	Fiscal note not available											
Public Employment Relations Commission	.0	140,000	140,000	140,000	.0	140,000	140,000	140,000	.0	140,000	140,000	140,000
Total \$	0.0	140,000	140,000	140,000	0.0	140,000	140,000	140,000	0.0	140,000	140,000	140,000

## Estimated Capital Budget Expenditures

Agency Name	2023-25			2025-27			2027-29		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Office of State Legislative Labor Relations	.0	0	0	.0	0	0	.0	0	0
Office of Attorney General	Fiscal note not available								
Public Employment Relations Commission	.0	0	0	.0	0	0	.0	0	0
Total \$	0.0	0	0	0.0	0	0	0.0	0	0

## Estimated Capital Budget Breakout

NONE

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# Individual State Agency Fiscal Note

<b>Bill Number:</b> 6194 E 2S SB	<b>Title:</b> Legislative employees	<b>Agency:</b> 036-Office of State Legislative Labor Relations
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## Part I: Estimates

**No Fiscal Impact**

**Estimated Cash Receipts to:**

NONE

**Estimated Operating Expenditures from:**

NONE

**Estimated Capital Budget Impact:**

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Trudes Tango	Phone: 360-786-7384	Date: 02/20/2024
Agency Preparation: Becky DeBoer	Phone: (360) 786-7793	Date: 02/20/2024
Agency Approval: Debbie Brookman	Phone: (360) 786-6444	Date: 02/20/2024
OFM Review: Steven Puvogel	Phone: (360) 701-6459	Date: 02/20/2024

## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

*Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.*

Upon review of E2S SB6194 the Office of State Legislative Labor Relations anticipates no additional fiscal impact for the proposed revisions to RCW 44.90 Legislative Employee Collective Bargaining.

### II. B - Cash receipts Impact

*Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.*

### II. C - Expenditures

*Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.*

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

NONE

### III. B - Expenditures by Object Or Purpose

NONE

**III. C - Operating FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

### III. D - Expenditures By Program (optional)

NONE

## Part IV: Capital Budget Impact

### IV. A - Capital Budget Expenditures

NONE

### IV. B - Expenditures by Object Or Purpose

NONE

### IV. C - Capital Budget Breakout

*Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.*

NONE

**IV. D - Capital FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

**Part V: New Rule Making Required**

*Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.*

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 6194 E 2S SB	<b>Title:</b> Legislative employees	<b>Agency:</b> 275-Public Employment Relations Commission
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## Part I: Estimates

**No Fiscal Impact**

### Estimated Cash Receipts to:

NONE

### Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
<b>Account</b>					
General Fund-State      001-1	70,000	70,000	140,000	140,000	140,000
<b>Total \$</b>	70,000	70,000	140,000	140,000	140,000

### Estimated Capital Budget Impact:

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Trudes Tango	Phone: 360-786-7384	Date: 02/20/2024
Agency Preparation: Dario de la Rosa	Phone: 360-570-7328	Date: 02/21/2024
Agency Approval: Dario de la Rosa	Phone: 360-570-7328	Date: 02/21/2024
OFM Review: Val Terre	Phone: (360) 280-3073	Date: 02/23/2024

## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

*Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.*

Engrossed Second Substitute Senate Bill 6194 extends collective bargaining rights to certain employees of the Washington State Legislature.

Section 1 of the bill defines which employees are eligible to exercise collective bargaining, including the partisan employees of the House of Representatives and the Senate and regular employees of the Office of Legislative Support Services, the Legislative Service Center, the Office of the Code Revisor (those who do not work full time on drafting and finalizing legislation), and the administration of the House of Representatives and the Senate. Section 1 of the bill also defines the “Commission” as the Legislative Commission of the Public Employment Relations Commission (PERC). until December 31, 2029, at which time the duties of the Legislative Commission expire and the .

Section 2 of the bill specifically defines which legislative employees are excluded from coverage of the act, including elected and appointed members of the legislature; any person appointed to office under a statute, ordinance, or resolution; Caucus Chiefs of Staff and Deputy Chiefs of Staff; the Speaker of the House’s attorney, house counsel, and leadership counsel; and the counsel of the Senate. The employer has the sole authority to designate confidential employees, supervisors, and managerial employees.

Section 3 of the bill sets forth the duties of the Office of State Legislative Labor Relations.

Section 4 of the bill provides that either PERC or the superior courts shall decide all questions described in chapter 44.90 RCW, except that any ruling may not reinstate an employee; modify the qualifications for holding office; modify the ability of each house to choose its officers; modify legislative calendars or schedules; or modify law, rules, procedures, or policies regarding ethics or conflicts of interest.

Section 5 of the bill provides that PERC shall establish election procedures. An employee organization shall only be certified if it receives the votes of a majority of employees in the petitioned-for bargaining unit through a secret ballot election. Section 5 also provides that a certified bargaining representative shall represent all employees within the bargaining unit regardless of payment status.

Section 6 of the bill empowers PERC to establish appropriate bargaining units of legislative employees, except that bargaining unit may not include both supervisory and nonsupervisory employees, may not include employees of both the House of Representative and the Senate, and may not include both partisan and non-partisan employees. Section 6 also provides that partisan employees of the majority and minority caucuses may not be included in the same bargaining unit unless a majority of employees in each caucus vote to be included in the same bargaining unit.

Sections 7, 8, and 9 set forth the parties’ obligations to collectively bargain in good faith and reduce agreements to writing; provide that nothing in chapter 44.90 RCW permits or grants employees the right to strike; and establish timelines for negotiations.

Section 10 allows the parties to ask PERC for assistance to mediate any collective bargaining disputes.

Sections 11 and 12 set forth the unfair labor practice provision and empower PERC to prevent unfair labor practices.

Section 13 of the bill describes management rights.

Section 14 of the bill provides a method for employees to have dues deducted from their paycheck that is consistent with other collective bargaining statutes in Washington State.

Section 15 of the bill permits the parties to select a permanent umpire to serve as an arbitrator for grievances that arise under section 7 of the bill. The parties may ask PERC to provide a list of arbitrators from PERC’s dispute resolution panel.

Sections 16, 17, and 18 of the bill establish a Legislative Commission within PERC, exclusively for the purpose of certifying bargaining representatives; adjusting and settling complaints, grievances, and disputes arising out of the employer-employee relationship; and otherwise carrying out the duties of PERC’s staff for legislative employee collective bargaining. The Legislative Commission must be appointed by September 30, 2024, and expires on December 31, 2024, at which time the duties of the Legislative Commission are absorbed by the existing PERC Commission. The Legislative Commission may delegate to PERC’s Executive Director the authority to conduct representation, unfair labor practice, mediation, and (if applicable) arbitration proceedings. Such a delegation does not eliminate a party’s right to appeal to the Legislative Commissioner.

Although the Legislative Commissioner is not considered a member of the PERC Commission and the powers granted to the PERC Commission under chapter 41.58 RCW do not apply to this position, the compensation and travel reimbursements that apply to the PERC Commission shall apply to the Legislative Commissioner, and the employees of the PERC Commission shall provide staff support for the Legislative Commissioner.

HB 2325 includes an emergency clause with an effective date of May 1, 2024.

**II. B - Cash receipts Impact**

*Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.*

**II. C - Expenditures**

*Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.*

PERC’s three-member Commission incurs approximately \$32,000 per biennium in compensation and travel expenses. PERC anticipates it will need an additional \$32,000 per biennium to provide for the compensation and travel expenses of the new Legislative Commission.

PERC's is currently allocated \$204,000 per biennium for legal expenses, including participation in appeals of decisions rendered under the Administrative Procedure Act, requests made under the Public Records Act, and other legal advice associated with PERC’s statutory duties. Because the Legislative Commission created under E2SSB 6194 is a new commission operating under a new collective bargaining statute, PERC anticipates that it will need approximately \$38,000 per biennium for additional attorney general services to support the functions delegated to the Legislative Commission and the agency.

Because the Legislative Commission expires on December 31, 2029, funding for E2SSB 6194 is not needed beyond FY30.

PERC anticipates it can absorb the additional staffing workload generated by E2SSB 6194 without additional funding.

**Part III: Expenditure Detail**

**III. A - Operating Budget Expenditures**

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
001-1	General Fund	State	70,000	70,000	140,000	140,000	140,000
<b>Total \$</b>			70,000	70,000	140,000	140,000	140,000



**III. B - Expenditures by Object Or Purpose**

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years					
A-Salaries and Wages	32,000	32,000	64,000	64,000	64,000
B-Employee Benefits					
C-Professional Service Contracts					
E-Goods and Other Services	38,000	38,000	76,000	76,000	76,000
G-Travel					
J-Capital Outlays					
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-					
<b>Total \$</b>	70,000	70,000	140,000	140,000	140,000

**III. C - Operating FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

**III. D - Expenditures By Program (optional)**

NONE

**Part IV: Capital Budget Impact**

**IV. A - Capital Budget Expenditures**

NONE

**IV. B - Expenditures by Object Or Purpose**

NONE

**IV. C - Capital Budget Breakout**

*Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.*

NONE

**IV. D - Capital FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

**Part V: New Rule Making Required**

*Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.*