

Multiple Agency Fiscal Note Summary

Bill Number: 5763 SB	Title: DFW commissioned officers
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Estimated Cash Receipts

Agency Name	2015-17		2017-19		2019-21	
	GF- State	Total	GF- State	Total	GF- State	Total
Office of Attorney General	0	128,277	0	128,277	0	128,277
Total \$	0	128,277	0	128,277	0	128,277

Estimated Expenditures

Agency Name	2015-17			2017-19			2019-21		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Office of Attorney General	.3	0	128,277	.3	0	128,277	.3	0	128,277
Office of Financial Management	1.0	0	0	1.0	0	0	1.0	0	0
Department of Fish and Wildlife	.0	472,200	472,200	.0	467,200	467,200	.0	467,200	467,200
Total	1.3	\$472,200	\$600,477	1.3	\$467,200	\$595,477	1.3	\$467,200	\$595,477

Estimated Capital Budget Impact

NONE

Prepared by: Heather Matthews, OFM	Phone: (360) 902-0543	Date Published: Final 2/25/2015
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* See Office of the Administrator for the Courts judicial fiscal note

** See local government fiscal note

ENPID: 40267

FNS029 Multi Agency rollout

Individual State Agency Fiscal Note

Bill Number: 5763 SB	Title: DFW commissioned officers	Agency: 100-Office of Attorney General
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Part I: Estimates

☐ No Fiscal Impact

Estimated Cash Receipts to:

ACCOUNT	FY 2016	FY 2017	2015-17	2017-19	2019-21
Legal Services Revolving Account-State 405-1		128,277	128,277	128,277	128,277
Total \$		128,277	128,277	128,277	128,277

Estimated Expenditures from:

	FY 2016	FY 2017	2015-17	2017-19	2019-21
FTE Staff Years	0.0	0.6	0.3	0.3	0.3
Account					
Legal Services Revolving Account-State 405-1	0	128,277	128,277	128,277	128,277
Total \$	0	128,277	128,277	128,277	128,277

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: Mac Nicholson	Phone: 360-786-7445	Date: 02/11/2015
Agency Preparation: Toni Ursich	Phone: (509) 456-3123	Date: 02/25/2015
Agency Approval: Brendan VanderVelde	Phone: 360 586-2104	Date: 02/25/2015
OFM Review: Chris Stanley	Phone: (360) 902-9810	Date: 02/25/2015

Part II: Narrative Explanation

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

Briefly describe by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.

Section 1 adds a new section to chapter 41.56 RCW that adds Department of Fish and Wildlife (DFW) commissioned officers, with the exception of captains, to those who may collectively bargain and sets forth the collective bargaining relationship between those officers and the state. This section provides that an exclusive bargaining representative certified on the effective date of this section shall continue as the exclusive bargaining representative without the necessity of an election; requires that the exclusive bargaining representative negotiate with the governor or designee one master contract on behalf of all employees in bargaining units that the exclusive bargaining representative represents in DFW where more than one bargaining unit are represented by the exclusive representative, and provides that the scope of bargaining is the same as that set forth in RCW 41.80.020.

Section 2 adds a new chapter to RCW 41.56 RCW that adds DFW commissioned officers, as set forth in section 1 of this act, to those who may collectively bargain subject to a list of provisions related to the timing of bargaining, including the duty to attempt to agree upon an interest arbitration panel within 10 working days of the first Monday in September of every odd-numbered year. The matters that the interest arbitration panel may consider, and the factors it must take into consideration in making its determination, are enumerated.

Section 3 amends RCW 41.80.020, adding “all the exclusive bargaining representatives subject to section 1 of this act” to the one coalition of exclusive bargaining representatives that may negotiate the number of names to be certified for vacancies, promotional preferences, and the dollar amount to be expended on behalf of each employee for health care benefits.

Section 4 adds a new section to chapter 41.56 RCW governing the timing of collective bargaining negotiations between the state and bargaining representatives representing DFW employees, providing that a collective bargaining agreement (CBA) entered pursuant to this chapter before July 1, 2016 and that expires after July 1, 2016 remains in full force during its duration, but may not be renewed or extended after July 1, 2017. If an agreement is not reached by July 1, 2017, the terms and conditions remain in effect until the effective date of an agreement under this chapter, not to exceed one year from the expiration date stated in this agreement. The duration of any CBA negotiated under this chapter may not exceed one fiscal biennium.

In order to provide legal services for DFW, the Attorney General’s Office (AGO) estimates a workload impact of 0.25 Assistant Attorney General (AAG), 0.12 Legal Assistant (LA) and 0.25 Paralegal (PL) at a cost of \$128,227 (this includes direct litigation costs of \$55,000) in FY2017 and in each odd numbered FY thereafter.

This bill is assumed effective 90 days after the end of the 2015 legislative session.

II. B - Cash receipts Impact

Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.

Funds are assumed to be appropriated Legal Service Revolving Account dollars. Legal services costs incurred by the AGO will be billed through the revolving fund to the client agency.

The client agency is assumed to be DFW. The AGO will bill DFW for legal services rendered.

Please note that these cash receipts represent the AGO authority to bill and are not a direct appropriation to the AGO. The direct appropriation is reflected in the client agency's fiscal note. Appropriation authority is necessary in the AGO budget.

II. C - Expenditures

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

The cost estimate below is based on the expectation that interest arbitration will be necessary, as interest arbitration is assumed likely to occur.

In order to provide legal services for DFW, the AGO estimates a workload impact of 0.25 AAG, 0.12 LA and 0.25 PL at a cost of \$128,227 (this includes direct litigation costs of \$55,000) in FY2017 and in each odd numbered FY thereafter.

Assumptions:

1. Legal services associated with the enactment of this bill are assumed to begin on July 1, 2016.
2. We assume costs associated with the enactment of this bill will be billed to DFW.
3. We assume that there may be disputes related to mandatory subjects of bargaining.
4. We assume direct litigation costs for interest arbitration in July through September of odd numbered FYs totaling \$55,000.
 - A. We assume the statute calls for a panel of three arbitrators with a split of costs, which will be up to \$25,000 per interest arbitration, depending upon the complexity of arbitration and number of days in arbitration.
 - B. We assume court reporter services and payment for expedited transcripts will cost up to \$10,000 for each interest arbitration.
 - C. We assume use of expert witnesses to testify as to comparable terms and conditions of employment. These costs will be up to \$20,000 per interest arbitration.
5. We assume that if there are additional bargaining units, there will be additional staffing resources and funding needed by the AGO.
6. We assume arbitration legal services in FY2017 and in each odd numbered FY will require 0.25 AAG, 0.25 PL and 0.12 LA at a cost of \$128,227 (including direct litigation costs of \$55,000).

Part III: Expenditure Detail

III. A - Expenditures by Object Or Purpose

	FY 2016	FY 2017	2015-17	2017-19	2019-21
FTE Staff Years		0.6	0.3	0.3	0.3
A-Salaries and Wages		42,128	42,128	42,128	42,128
B-Employee Benefits		13,612	13,612	13,612	13,612
C-Professional Service Contracts		55,000	55,000	55,000	55,000
E-Goods and Other Services		15,497	15,497	15,497	15,497
G-Travel		750	750	750	750
J-Capital Outlays		1,240	1,240	1,240	1,240
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-					
Total:	\$0	\$128,227	\$128,227	\$128,227	\$128,227

III. B - Detail: *List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA*

Job Classification	Salary	FY 2016	FY 2017	2015-17	2017-19	2019-21
Assistant Attorney General	90,972		0.3	0.1	0.1	0.1
Legal Assistant II	42,588		0.1	0.1	0.1	0.1
Paralegal II	58,656		0.3	0.1	0.1	0.1
Total FTE's	192,216		0.6	0.3	0.3	0.3

III. C - Expenditures By Program (optional)

Program	FY 2016	FY 2017	2015-17	2017-19	2019-21
Labor and Personnel Division (LPD)		128,277	128,277	128,277	128,277
Total \$		128,277	128,277	128,277	128,277

Part IV: Capital Budget Impact

NONE

Part V: New Rule Making Required

Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.

None.

Individual State Agency Fiscal Note

Bill Number: 5763 SB	Title: DFW commissioned officers	Agency: 105-Office of Financial Management
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Part I: Estimates

☐ No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Expenditures from:

	FY 2016	FY 2017	2015-17	2017-19	2019-21
FTE Staff Years	1.0	1.0	1.0	1.0	1.0
Account					
Total \$					

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: Mac Nicholson	Phone: 360-786-7445	Date: 02/11/2015
Agency Preparation: Stephanie Lidren	Phone: 360-902-3056	Date: 02/19/2015
Agency Approval: Aaron Butcher	Phone: 360-902-0406	Date: 02/19/2015
OFM Review: Regan Hesse	Phone: (360) 902-0650	Date: 02/19/2015

Part II: Narrative Explanation

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

Briefly describe by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.

Senate Bill 5763, Section 1 adds statutes to RCW 41.56 giving DFW Enforcement officers interest arbitration. They are currently under RCW 41.80 under the Coalition master agreement. This would create the need for two new separate collective bargaining agreements and potential interest arbitration proceedings, one for the officers (Fish and Wildlife Officers Guild) and one for the Sergeants (Teamsters 176).

II. B - Cash receipts Impact

Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.

II. C - Expenditures

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

The creation of this expanded bargaining obligation creates increased efforts for OFM. This includes work to develop compensation strategies to meet the State's obligation to bargain with an added interest arbitration element for two new collective bargaining agreements. The following describes the additional resources required to accomplish this work.

State HR FTE Requirements

Enterprise Classification and Compensation and HR Data Analytics Section (ECC & HRDA)

ECC & DA will require a 0.5 FTE, Compensation and Policy Analyst, at \$90,000 plus benefits and miscellaneous goods and services associated with a position, to perform the following functions:

- Query a complex Compensation Impact Model or create manual models that will measure the fiscal impacts of labor and management proposals;
- Prepare fiscal exhibits;
- Provide expert testimony in the interest arbitration hearings;
- Provide summary documents to the Office of Financial Management (OFM) director for a financial feasibility determination;
- Prepare budget language;
- Direct system changes in the compensation related IT systems; and
- Resolve implementation issues.

Labor Relations Section (LRS)

LRS will require a 0.5 FTE, Labor Negotiator, at an annual salary of \$95,000 plus benefits and miscellaneous goods and services associated with a position, to perform the following functions:

- Administer collective bargaining agreement, dispute resolution, interim negotiations related to changes to mandatory subjects;
- Represent the Governor in labor negotiations;
- Provide contract interpretation advice to agencies; and
- Provide training to agencies on collective bargaining agreements and changes.

\$50,000 Salary Survey: The bill requires a different set of factors for consideration by the arbitrator than we

currently survey for general government. Therefore, a separate salary survey would need to be conducted for these job classifications every biennium.

- OFM will be reimbursed for all expenditures by the agency, through an interagency agreement.

Part III: Expenditure Detail

III. A - Expenditures by Object Or Purpose

	FY 2016	FY 2017	2015-17	2017-19	2019-21
FTE Staff Years	1.0	1.0	1.0	1.0	1.0
A-Salaries and Wages	92,508	92,508	185,016	185,016	185,016
B-Employee Benefits	25,560	25,560	51,120	51,120	51,120
C-Professional Service Contracts	50,000		50,000	50,000	50,000
E-Goods and Other Services	24,000	24,000	48,000	48,000	48,000
G-Travel	2,400	2,400	4,800	4,800	4,800
J-Capital Outlays	5,000		5,000		
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements	(199,468)	(144,468)	(343,936)	(338,936)	(338,936)
T-Intra-Agency Reimbursements					
9-					
Total:	\$0	\$0	\$0	\$0	\$0

III. B - Detail: *List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA*

Job Classification	Salary	FY 2016	FY 2017	2015-17	2017-19	2019-21
Comp & Policy Analyst	90,000	0.5	0.5	0.5	0.5	0.5
Labor Negotiator	95,000	0.5	0.5	0.5	0.5	0.5
Total FTE's	185,000	1.0	1.0	1.0	1.0	1.0

Part IV: Capital Budget Impact

NONE

Part V: New Rule Making Required

Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Revised

Bill Number: 5763 SB	Title: DFW commissioned officers	Agency: 477-Department of Fish and Wildlife
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Part I: Estimates

☐ No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Expenditures from:

	FY 2016	FY 2017	2015-17	2017-19	2019-21
Account					
General Fund-State 001-1	199,500	272,700	472,200	467,200	467,200
Total \$	199,500	272,700	472,200	467,200	467,200

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: Mac Nicholson	Phone: 360-786-7445	Date: 02/11/2015
Agency Preparation: Catherine Suter	Phone: 360-902-2196	Date: 02/25/2015
Agency Approval: Catherine Suter	Phone: 360-902-2196	Date: 02/25/2015
OFM Review: Heather Matthews	Phone: (360) 902-0543	Date: 02/25/2015

Part II: Narrative Explanation

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

Briefly describe by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.

Section 2(1) requires the Department of Fish and Wildlife (WDFW) to utilize an interest arbitration panel if the parties are not successful in negotiating a comprehensive collective bargaining agreement for commissioned officers, except for captains, as required by this bill.

Costs of each party's appointee shall be borne by each party respectively; other costs of the arbitration proceedings shall be borne by the Fish and Wildlife Commission.

Each party shall pay the fees and expenses of its arbitrator, and the fees and expenses of the neutral chair shall be shared equally between the parties.

II. B - Cash receipts Impact

Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.

II. C - Expenditures

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

NOTE: The cost estimates provided in this fiscal note are fully based off of the Attorney General Office (AGO) and Office of Financial Management (OFM) fiscal notes for this bill. AGO and OFM will bill WDFW for 100% of the costs that they incur should arbitration be required. Therefore, WDFW needs to include OFM's and AGO's billable costs to this agency in this note. These costs are shown in Object E in WDFW's fiscal note and exactly offset OFM's and AGO's fiscal note estimates.

OFM – Anticipated costs for the creation of this expanded bargaining obligation. This includes work to develop compensation strategies to meet the State's obligation to bargain with an added interest arbitration element for two new collective bargaining agreements. For fiscal details behind this analysis, please refer to the OFM fiscal note.

AGO – Anticipated costs could go as high as an estimated \$128,000 per odd fiscal year to support WDFW should disputes occur and arbitration is needed. Support includes 0.25 AAG, 0.12 FTE Legal Assistant and 0.25 FTE Paralegal at a cost of \$128,227 (this includes direct litigation costs of \$55,000). However, the true level of support needed is unknown. For fiscal details behind this analysis, please refer to the AGO fiscal note.

WDFW – A third party arbitrator could cost as much \$30,000, based on the arbitrator that the Department of Corrections used, charging \$400 an hour. Number of hours needed is unknown and not included in the fiscal note.

Part III: Expenditure Detail

III. A - Expenditures by Object Or Purpose

	FY 2016	FY 2017	2015-17	2017-19	2019-21
FTE Staff Years					
A-Salaries and Wages					
B-Employee Benefits					
C-Professional Service Contracts					
E-Goods and Other Services	199,500	272,700	472,200	467,200	467,200
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-					
Total:	\$199,500	\$272,700	\$472,200	\$467,200	\$467,200

Part IV: Capital Budget Impact

NONE

Part V: New Rule Making Required

Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.