

Multiple Agency Fiscal Note Summary

Bill Number: 2325 HB	Title: 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
Public Employment Relations Commission	.1	34,077	34,077	34,077	.0	0	0	0	.0	0	0	0
Total \$	0.1	34,077	34,077	34,077	0.0	0	0	0	0.0	0	0	0

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
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

Bill Number: 2325 HB	Title: Legislative employees	Agency: 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: 01/11/2024
Agency Preparation: Becky DeBoer	Phone: (360) 786-7793	Date: 01/12/2024
Agency Approval: Debbie Brookman	Phone: (360) 786-6444	Date: 01/12/2024
OFM Review: Steven Puvogel	Phone: (360) 701-6459	Date: 01/12/2024

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 HB2325 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

Bill Number: 2325 HB	Title: Legislative employees	Agency: 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
FTE Staff Years	0.0	0.2	0.1	0.0	0.0
Account					
General Fund-State 001-1	0	34,077	34,077	0	0
Total \$	0	34,077	34,077	0	0

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: 01/11/2024
Agency Preparation: Dario de la Rosa	Phone: 360-570-7328	Date: 01/16/2024
Agency Approval: Dario de la Rosa	Phone: 360-570-7328	Date: 01/16/2024
OFM Review: Val Terre	Phone: (360) 280-3973	Date: 01/17/2024

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.

House Bill 2325 extends collective bargaining right 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 representative and senate, the employees of the office of legislative support services, the legislative service center, employees of the Office of the Code Revisor who do not work fulltime on drafting and finalizing legislation, and the administration of the House of Representatives and Senate.

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, 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 legislative relations.

Section 4 of the bill provides that either the Public Employment Relations Commission (PERC) or the courts shall decide all questions described in the 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; modify law, rules, procedures, or policies regarding either or conflicts of interest.

Section 5 of the bill provides that the PERC shall resolve all questions concerning representation and 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 and may not include employees of both the House of Representative and the Senate.

Sections 7, 8, and 9 set forth the parties' obligations to collectively bargain in good faith, provide that that nothing in chapter 44.90 permits or grants employees the right to strike, and provide 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.

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.

Legislative employees are a new group of employees who have not previously enjoyed collective bargaining rights. PERC anticipates its representation services will be utilized starting May 1, 2024. Starting May 1, 2024, PERC anticipates that all of its services will be utilized by this group of employees at the same rate as other state civil service employees, including:

- representation cases to determine the appropriate bargaining units for Legislative employees;
- mediation cases to assist the parties in resolving mandatory subjects of bargaining; and
- unfair labor practice cases to determine if a subject of bargaining is mandatory in nature.

A PERC Labor Relations Adjudicator Mediator 2 (Range 73) typically processes approximately 75 cases per year. PERC anticipates that it will need a .1 Labor Relations Adjudicator Mediator 2 and a .1 Legal Assistant 3 (range 44) to manage the additional representation workload generated by HB 2325 for FY25.

HB 2325 provides specific definitions for supervisory, confidential, and managerial employees as well as specific limitations on bargaining unit structures. PERC anticipates that starting FY 26, it can absorb any additional workload generated by HB 2325 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	0	34,077	34,077	0	0
Total \$			0	34,077	34,077	0	0

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years		0.2	0.1		
A-Salaries and Wages		17,703	17,703		
B-Employee Benefits		5,874	5,874		
C-Professional Service Contracts					
E-Goods and Other Services		2,000	2,000		
G-Travel		3,500	3,500		
J-Capital Outlays		5,000	5,000		
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-					
Total \$	0	34,077	34,077	0	0

III. C - Operating FTE 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 2024	FY 2025	2023-25	2025-27	2027-29
Labor Relations Adjudicator Mediator 2	118,932		0.1	0.1		
Legal Secretary 3	58,104		0.1	0.1		
Total FTEs			0.2	0.1		0.0

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.

PERC anticipates that it will need to adopt rules to implement the provisions of HB 2325.