

# Multiple Agency Fiscal Note Summary

<b>Bill Number:</b> 5895 SB	<b>Title:</b> Academic employee bargaining
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## Estimated Cash Receipts

Agency Name	2023-25			2025-27			2027-29		
	GF-State	NGF-Outlook	Total	GF-State	NGF-Outlook	Total	GF-State	NGF-Outlook	Total
Eastern Washington University	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Central Washington University	Non-zero but indeterminate cost and/or savings. Please see discussion.								
The Evergreen State College	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Western Washington University	Non-zero but indeterminate cost and/or savings. Please see discussion.								
<b>Total \$</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

## 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
Eastern Washington University	1.4	263,170	263,170	263,170	1.4	457,403	457,403	457,403	1.4	472,650	472,650	472,650
Central Washington University	2.1	916,905	916,905	916,905	4.1	1,829,810	1,829,810	1,829,810	4.1	1,829,810	1,829,810	1,829,810
The Evergreen State College	.4	0	0	124,974	.8	0	0	211,948	.8	0	0	211,948
The Evergreen State College	In addition to the estimate above, there are additional indeterminate costs and/or savings. Please see individual fiscal note.											
Western Washington University	1.5	4,831,071	4,831,071	4,831,071	1.5	9,362,142	9,362,142	9,362,142	1.5	9,362,142	9,362,142	9,362,142
Western Washington University	In addition to the estimate above, there are additional indeterminate costs and/or savings. Please see individual fiscal note.											
<b>Total \$</b>	<b>5.4</b>	<b>6,011,146</b>	<b>6,011,146</b>	<b>6,136,120</b>	<b>7.8</b>	<b>11,649,355</b>	<b>11,649,355</b>	<b>11,861,303</b>	<b>7.8</b>	<b>11,664,602</b>	<b>11,664,602</b>	<b>11,876,550</b>

## Estimated Capital Budget Expenditures

Agency Name	2023-25			2025-27			2027-29		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Eastern Washington University	.0	0	0	.0	0	0	.0	0	0
Central Washington University	.0	0	0	.0	0	0	.0	0	0
The Evergreen State College	.0	0	0	.0	0	0	.0	0	0
Western Washington University	.0	0	0	.0	0	0	.0	0	0
<b>Total \$</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>

## Estimated Capital Budget Breakout

NONE

<b>Prepared by:</b> Ramona Nabors, OFM	<b>Phone:</b> (360) 742-8948	<b>Date Published:</b> Revised 2/ 1/2024
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# Individual State Agency Fiscal Note

<b>Bill Number:</b> 5895 SB	<b>Title:</b> Academic employee bargaining	<b>Agency:</b> 370-Eastern Washington University
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## Part I: Estimates

**No Fiscal Impact**

### Estimated Cash Receipts to:

**Non-zero but indeterminate cost and/or savings. Please see discussion.**

### Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	1.4	1.4	1.4	1.4	1.4
<b>Account</b>					
General Fund-State 001-1	0	263,170	263,170	457,403	472,650
<b>Total \$</b>	0	263,170	263,170	457,403	472,650

### 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: Jarrett Sacks	Phone: 360-786-7448	Date: 01/03/2024
Agency Preparation: Tammy Felicijan	Phone: (509) 359-7364	Date: 01/17/2024
Agency Approval: Tammy Felicijan	Phone: (509) 359-7364	Date: 01/17/2024
OFM Review: Ramona Nabors	Phone: (360) 742-8948	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.*

SB 5895 adds new sections to allow collective bargaining for all student employees and EWU would incur expenses for legal services in preparation for and throughout bargaining.

This bill, with the current wording, includes an undetermined number of Exempt Staff who are enrolled in degree programs through employer-provided tuition waivers as an employee benefit. Exempt Staff are not part of a represented group, but would be included based on the wording of the legislation.

Section 3 would result in fiscal impacts to the university allowing compensation provisions within collective bargaining agreements to exceed the amount established in legislative appropriations, which shifts the financial impacts to the university to cover with existing funds.

Compensation increases resulting from bargaining would increase labor costs for all departments that employ students and impact student financial aid due to limitations with costs supported by state and federal work-study grants.

There would be substantial costs for legal services associated with bargaining and preparation for the initial agreement

Student employee population for FY23 was 1,157. EWU anticipates significant costs arising from the following factors either increasing or being newly provided:

- Cost of bargaining (AAG/legal services)
- Additional legal counsel
- Representation petitions and PERC proceedings
- Grievance and arbitration proceedings
- Direct labor resources allocated to contract negotiation and agreements, reporting
- Increases in wages and related benefits above current expected levels
- Student health insurance costs
- Sick or vacation leave costs
- Increases in TA stipends above current expected levels
- Changes in negotiated working conditions
- Guaranteed hours
- Increases in other employee costs due to potential work stoppages

As the nature of these costs are highly variable with many unknown factors affecting the outcome, EWU recognizes that this bill would likely result in substantial indeterminate expenditure. In addition to current employee bargaining time and effort, administrative costs to perform initial bargaining and maintenance would require an additional 1FTE labor relations specialist at \$80,000, plus related benefits at 30%.

### 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.*

Unknown factors related to bargaining for tuition waivers would result in lost revenue to EWU. For example, if a \$1,000 tuition waiver was bargained, spread to 1,157 students, this would result in \$1,157,000 in lost revenue each year.

### 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.

**Support Staff and services:**

Legal services for initial CBA, consultation, and support. Approx 200 hrs at \$400/hr. = \$80,000. \$40,000 after that.

Staff time for bargaining: 10 sessions @ 6 hrs/session = 60 hrs + additional 60 hrs of preparation time. Total 120 hrs x applicable salaries per staff personnel.

Staff bargaining includes AVP of HR, Labor Relations Mgr, partial FTE of four professional staff.

Eastern Washington University has not begun bargaining as of yet. However, potential costs resulting from bargaining are assumed as follows:

Indeterminate Costs: Based on FY23 data, 1,157 students, plus an undetermined number of Exempt Staff who are enrolled in degree programs through employer-provided tuition waivers as an employee benefit. Exempt Staff are not part of a represented group and would be included based on the wording of the legislation. This cost is indeterminate at this time.

Additional indeterminate costs would be incurred for bargained sick or vacation leave because of incurred replacement costs for coverage when a student employee is on leave.

Annual salary increase estimated at non-represented general wage increase. FY23 student wages \$6,327,533 x 1.03 = \$6,517,359. Increase of \$189,826. Benefits to follow. It is anticipated that COLA adjustments would be bargained for moving forward. It is indeterminate what those changes may be.

The largest anticipated expense would be employer cost for student health insurance coverage, which is likely to be part of the bargained agreement. Current GSA rate \$1,000 per student per year x 1,157 students = \$1,157,000.

**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	263,170	263,170	457,403	472,650
<b>Total \$</b>			0	263,170	263,170	457,403	472,650

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

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	1.4	1.4	1.4	1.4	1.4
A-Salaries and Wages		140,900	140,900	290,310	302,039
B-Employee Benefits		42,270	42,270	87,093	90,611
C-Professional Service Contracts		80,000	80,000	80,000	80,000
E-Goods and Other Services					
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>	0	263,170	263,170	457,403	472,650

**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*

<b>Job Classification</b>	<b>Salary</b>	<b>FY 2024</b>	<b>FY 2025</b>	<b>2023-25</b>	<b>2025-27</b>	<b>2027-29</b>
Addl Labor Relations staff	80,000	1.0	1.0	1.0	1.0	1.0
Avg AVP	15,584	0.1	0.1	0.1	0.1	0.1
AVP HR	11,003	0.1	0.1	0.1	0.1	0.1
Avp VP	27,964	0.1	0.1	0.1	0.1	0.1
Labor Relations Manager	6,348	0.1	0.1	0.1	0.1	0.1
<b>Total FTEs</b>		1.4	1.4	1.4	1.4	1.4

**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> 5895 SB	<b>Title:</b> Academic employee bargaining	<b>Agency:</b> 375-Central Washington University
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## Part I: Estimates

**No Fiscal Impact**

### Estimated Cash Receipts to:

**Non-zero but indeterminate cost and/or savings. Please see discussion.**

### Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.0	4.1	2.1	4.1	4.1
<b>Account</b>					
General Fund-State 001-1	0	916,905	916,905	1,829,810	1,829,810
<b>Total \$</b>	0	916,905	916,905	1,829,810	1,829,810

### 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: Jarrett Sacks	Phone: 360-786-7448	Date: 01/03/2024
Agency Preparation: Lisa Plesha	Phone: (509) 963-1233	Date: 01/18/2024
Agency Approval: Lisa Plesha	Phone: (509) 963-1233	Date: 01/18/2024
OFM Review: Ramona Nabors	Phone: (360) 742-8948	Date: 01/18/2024

## 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.*

SB 5895 adds an emergency declaration (Section 2) which would take effect immediately and a new section (1) to RCW 41.56 which, (a) in addition to the entities listed in RCW 41.56.020, this chapter will apply to all employees who are enrolled in an academic/certificate program on any campus of Central Washington University. (b) For collective bargaining purposes under this section, an employee is considered enrolled in an academic/certificate program during campus academic breaks if the employee is employed by the institution over the course of the academic break and is enrolled in the quarter or semester immediately preceding, or subsequent to, the campus academic break. (c) For the purposes of this section, "Employee" does not include employees eligible for collective bargaining under RCW 41.56, 28B.52, 41.75, or 41.80.

(2) Defines the only appropriate bargaining unit for the purposes of collective bargaining under this section includes all employees covered by this section. It is not appropriate if the unit includes more than one institution of higher education.

(3)(a) This scope of bargaining for employees under this section excludes:

(i) The ability to terminate an employee as defined under this section if the individual is not meeting the academic requirements as determined by the institution of higher education;

(ii) The amount of tuition or fees at the institution; but allows for bargaining of tuition and fee remission and waivers

(iii) The academic calendar of the institution;

(iv) The number of students to be admitted to a particular class or section at the institution;

(b)(i) Except as provided by (b)(ii) of this subsection, provisions of collective bargaining related to compensation must not exceed the amount or percentage established by the legislature in the appropriations act. If any compensation provision is affected by subsequent modification or the appropriations act, both parties must immediately enter into collective bargaining for the purpose of arriving at a mutually agreed-upon replacement for the affected provision.

(ii) The institution may provide additional compensation to student employees covered by this section that exceeds that provided by the legislature.

The students at Central Washington University who are covered under this new Section have not yet entered into collective bargaining with the institution and therefore, many of the cash receipt and expenditure impacts are estimated and indeterminate at this time. Expenditures associated with engaging in negotiations are based on previous negotiations with existing bargaining units at Central Washington University.

### 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.*

CWU expects that students seeking to bargain under this section will include some type of tuition waiver in their bargained benefits. Because the students covered under this Section have not yet engaged with the University in collective bargaining, the impact to net tuition revenue is indeterminate. However, as of the most recent payroll period CWU had 1,432 student employees eligible to bargain under the provisions of this Section. As a scalable estimate of potential reductions in net tuition revenue based on a bargained tuition waiver benefit, for every \$1000 in tuition waiver bargained for every represented student employee covered in this Section, CWU could expect to lose \$1,432,000 in net tuition revenue annually.

### 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.*

SB 5895 provides all students enrolled in an academic program or certificate the right to collectively bargain at Central Washington University. As of the December 15, 2023 payroll, CWU employs 1,432 student employees who could be



considered eligible to bargain under the provisions of this new Section.

For CWU to be prepared to engage with students seeking representation we will need to develop an infrastructure similar to our faculty relations and engage legal counsel to begin the preliminary work of establishing ground rules and basic contract language.

CWU expects to need the following costs in preparation to enter into negotiations for a bargained contract, which would include the services of legal counsel, the time of CWU Labor Relations staff, and CWU Management. These costs are provided below:

Legal Counsel:  $\$345/\text{hour} * 550 \text{ hours (16 hrs/week for 6 months)} = \$189,750$

CWU Bargaining Team: 550 hours per team member or total effort of 2.1 FTE at a total cost of \$560,286

Labor Relations staff:

- HR Labor Relations Director
- 2 HR Consultants

CWU Management:

- Associate VP of HR
- Provost/VP Academic Affairs
- Chief of Staff
- CFO/VP Finance & Administration

CWU expects to need the time and expertise of an additional HR Consultant and an HR Assistant who will support the preparation and initial contract negotiations as well as ongoing collective bargaining efforts beyond the first contract. These efforts would include tracking student employees as they move in and out of employment with the University and working with both the student representatives of the bargaining unit, CWU Management, and our legal counsel as it is expected that due to the transient nature of student employment it may be necessary to engage in negotiations as frequently as an annual basis. Additional responsibilities will be to establish a performance review process, training for supervisors, and maintenance of employee personnel files in the same manner as other represented permanent employees. An additional HR Consultant comes with an annual cost of \$94,246 (annual salary of \$70,862 + 33% benefits rate). An additional HR Assistant comes with an annual cost of \$70,623 (annual salary of \$53,100 + 33% benefits rate). Additional one-time costs for office and computer equipment for these new employees is estimated at \$2000 per employee.

It is estimated that student employees at CWU who enter into collective bargaining will seek outcomes that involve higher wages, health insurance, and tuition waivers (see Cash Receipts impact section for estimates on net tuition reductions from increased waivers) among a number of other potential items, including Parking and Child Care Assistance. Although any negotiated costs are currently indeterminate and not included in the table, CWU expects similar outcomes to those realized at the UW and WSU through their student employee collective bargaining process. Based on the 1,432 student employees identified above, CWU estimates the following cost impacts should students negotiate for these items.

At a minimum, students covered under the provisions of this new Section may negotiate for the same wage increase authorized for permanent state employees. In FY 2025 that increase is authorized at 3% effective July 1, 2024. Additionally, students may negotiate for health insurance, which CWU pays at a cost of \$2,478 per student, annually.

- A 3% increase on the hourly wages earned by students covered under the provisions of this Section would average \$.49 per hour increase. Student employee can work up to 660 hours in an academic year. Assuming each student works the maximum number of hours per week during the academic year the cost to CWU for a 3% wage increase could be \$463,000 in FY2025.

- Health insurance estimates are calculated at \$2,478 annual cost per student (FY2024) or \$3,548,496 annual cost.

In addition to the determined and indeterminate costs outlined above, there are several unknown, but potential outcomes of this proposed legislation that could cause incongruous outcomes among student employees. For all students employed through a Work Study funded job, any negotiated compensatory benefits beyond wages and statutory benefits would be the responsibility of the University since Work Study regulations prohibit the use of Work Study funds beyond those items. Approximately 16% of student employee positions eligible under the provisions of this section are Work Study funded positions.

There are a total of 26 non-represented classified staff and non-represented professional staff enrolled in an academic/certificate program at CWU. These non-represented, permanent employees could seek representation under the provisions of this proposed legislation, creating disparity and ambiguity in labor issues among similarly classified employees not enrolled in an academic/certificate program.

Lastly, there may be further reaching financial implications for student employees who receive financial aid. Primarily, it is possible for compensation increases and additional compensatory items, such as tuition waivers, to have both tax consequences as well as an affect on a student's Expected Family Contribution, potentially impacting need-based aid.

### 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	916,905	916,905	1,829,810	1,829,810
<b>Total \$</b>			0	916,905	916,905	1,829,810	1,829,810

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

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years		4.1	2.1	4.1	4.1
A-Salaries and Wages		545,230	545,230	1,090,460	1,090,460
B-Employee Benefits		179,925	179,925	359,850	359,850
C-Professional Service Contracts		189,750	189,750	379,500	379,500
E-Goods and Other Services		2,000	2,000		
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>	0	916,905	916,905	1,829,810	1,829,810

**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
2 HR Consultant - Labor Negotiations	83,878		0.6	0.3	0.6	0.6
AVP Human Resources	221,912		0.3	0.2	0.3	0.3
CFO/VP Finance & Administration	306,378		0.3	0.2	0.3	0.3
Chief of Staff	260,747		0.3	0.2	0.3	0.3
HR Assistant - Administrative Support	53,100		1.0	0.5	1.0	1.0
HR Consultant -Administrative Support	70,862		1.0	0.5	1.0	1.0
Labor Relations Director	141,056		0.3	0.2	0.3	0.3
Provost/VP Academic Affairs	306,378		0.3	0.2	0.3	0.3
<b>Total FTEs</b>			4.1	2.1	4.1	4.1

**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> 5895 SB	<b>Title:</b> Academic employee bargaining	<b>Agency:</b> 376-The Evergreen State College
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## Part I: Estimates

**No Fiscal Impact**

### Estimated Cash Receipts to:

**Non-zero but indeterminate cost and/or savings. Please see discussion.**

### Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.0	0.8	0.4	0.8	0.8
<b>Account</b>					
Inst of HI ED-Operating Fees Acct-State 149-1	0	124,974	124,974	211,948	211,948
<b>Total \$</b>	0	124,974	124,974	211,948	211,948

In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion.

### 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: Jarrett Sacks	Phone: 360-786-7448	Date: 01/03/2024
Agency Preparation: Daniel Ralph	Phone: 360-867-6500	Date: 02/01/2024
Agency Approval: Lisa Dawn-Fisher	Phone: 564-233-1577	Date: 02/01/2024
OFM Review: Ramona Nabors	Phone: (360) 742-8948	Date: 02/01/2024

## 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.*

SB 5895 relates to collective bargaining for certain groups of student employees. It would extend collective bargaining rights to student employees at the regional universities and The Evergreen State College who are not already covered under RCW 41.56.

Section 1.1(a) states that the chapter will apply to all employees who are enrolled in an academic or certificate program at The Evergreen State College.

Section 1.1(b) states that for purposes of collective bargaining, students covered under this chapter are presumed to be enrolled during academic breaks, including summer break.

Section 1.2 states that a bargaining unit for this purpose is not appropriate if it includes more than one higher education institution.

Section 1.3 lists exclusions to the scope of bargaining.

Section 2 states that the act will become effective immediately upon passage into law.

### 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.*

Because tuition and fee waivers are within the scope of bargaining, it is possible that The Evergreen State College will experience a loss of cash receipts. Due to the uncertainty related to the potential outcomes from bargaining, the loss of cash receipts cannot be determined.

### 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.*

TESC is requesting additional funding for a labor relations adjudicator/mediator 1. We currently have funding for 0.21 FTE for FY 2024 and FY2025. We are seeking funding to bring that position to 1.0 FTE to provide support for labor relations. In addition, we will require \$21,000 in professional services contracts to cover software upgrades and legal services in FY 2025. Ongoing costs for legal counsel are anticipated to be \$6,000/year. In addition, we anticipate \$6,000 in FY 2025 for goods and service to cover set up costs for the new position (computer, software licenses, etc.) Ongoing costs for goods and services are anticipated to be \$2,000/year.

In addition to administrative costs, TESC anticipates potential increased costs related to student wages, to covering the costs of employees who participate in bargaining, and to covering potential costs related to student holidays and vacations. In the absence of a negotiated agreement, it is not possible to determine these costs.

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
149-1	Inst of HI ED-Operating Fees Acct	State	0	124,974	124,974	211,948	211,948
<b>Total \$</b>			0	124,974	124,974	211,948	211,948

In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion.

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

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years		0.8	0.4	0.8	0.8
A-Salaries and Wages		73,424	73,424	146,848	146,848
B-Employee Benefits		24,550	24,550	49,100	49,100
C-Professional Service Contracts		21,000	21,000	12,000	12,000
E-Goods and Other Services		6,000	6,000	4,000	4,000
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>	0	124,974	124,974	211,948	211,948

In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion.

### 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 1	73,424		0.8	0.4	0.8	0.8
<b>Total FTEs</b>			0.8	0.4	0.8	0.8

### 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> 5895 SB	<b>Title:</b> Academic employee bargaining	<b>Agency:</b> 380-Western Washington University
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## Part I: Estimates

**No Fiscal Impact**

### Estimated Cash Receipts to:

**Non-zero but indeterminate cost and/or savings. Please see discussion.**

### Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	1.5	1.5	1.5	1.5	1.5
<b>Account</b>					
General Fund-State 001-1	0	4,831,071	4,831,071	9,362,142	9,362,142
<b>Total \$</b>	0	4,831,071	4,831,071	9,362,142	9,362,142

In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion.

### 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: Jarrett Sacks	Phone: 360-786-7448	Date: 01/03/2024
Agency Preparation: Gena Mikkelsen	Phone: 3606507412	Date: 01/09/2024
Agency Approval: Anna Hurst	Phone: 360-650-3569	Date: 01/09/2024
OFM Review: Ramona Nabors	Phone: (360) 742-8948	Date: 01/14/2024



## 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.*

Section 1 establishes a new collective bargaining unit which would result in legal costs for initial-set up and bargaining as well as labor costs for implementation and administration. In FY25, WWU would incur a one-time cost of \$180k for initial set-up of the bargaining group and \$60k for bargaining in both FY26 and FY28. Ongoing labor costs are estimated at \$4.65M for FY23-25 and include estimated wage & benefit increases related to student employee bargaining (\$4.5m); the addition of 1.0 FTE Employee Labor Relations Associate to manage the newly unionized group (\$97,548); and 0.5 FTE HR Consultant Assistant 2 to provide data analysis (\$35,017). The Employee Labor Relations Associate will be needed to administer the collective bargaining agreement, including managing over 1,000 new employee files, union memberships, and participating in all meetings associated with contract administration. The HR Consultant is needed to regularly analyze student job status to ensure union eligibility lists are accurate and that all data required by a new collective bargaining agreement is associated with student employee records; this work can be particularly complex as student employees may hold multiple jobs at one time and hiring activity is ongoing. Finally, there may be indeterminate labor costs related to negotiated vacation and sick leave coverage for student employees.

In Section 1a, the current wording includes an undetermined number of Exempt Staff who are enrolled in degree programs through employer-provided tuition waivers as an employee benefit. Exempt Staff are not currently part of a represented group, but would be included based on the wording of the legislation. The cost is indeterminate as the number of exempt employees who choose to enroll in a program can vary by quarter and exempt employees already receive a number of the benefits student employees would be negotiating.

Section 3 allows compensation provisions within collective bargaining agreements to exceed the amount established in legislative appropriations, which shifts the financial impact to the university to cover with existing funds. This cost is indeterminate as it is subject to negotiations and could also impact cash receipts if fees need to be increased to absorb the cost difference.

Section 3a (ii) allows bargaining for tuition waivers. If an expansion of tuition waiver eligibility were expanded as a result of bargaining, the negative impact on cash receipts would be substantial.

### 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.*

Section 3a (ii) allows bargaining for tuition waivers. If an expansion of tuition waiver eligibility were expanded as a result of bargaining, the negative impact on revenues would be substantial. Additionally, increasing wages and benefits for students funded with self-supporting funds may result in a need to increase fees. Approximately 76% of WWU students are associated with jobs that are not supported by state/tuition, of which 8% are funded by financial aid work-study grants.

### 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.*

Anticipated cost increases as a result of initial set-up and bargaining:

Professional Service Contracts (\$180,000): Estimated at \$20K for 9 months based on the estimated time frame for building a new contract, plus \$60K for bargaining in FY26 for second contract and FY28 for third contract.

Anticipated cost increases as a result of a Collective Bargaining Agreement:

Salaries and Wages (\$357,054): Assuming the outcome of bargaining is a wage increase equivalent to the non-represented general wage increase of 4%, hourly wages would increase by \$1.31 per hour on average each year. With 1,375 student employees and an average annual total hours worked of 145 per student employee, the costs of the increased wages in FY24 would be \$261,210 per year. In addition, a 1.0 FTE Employee Labor Relations Associate is needed to manage the newly unionized group at a salary of \$73,344 and 0.5 FTE HR Consultant Assistant 2 is needed to support data analysis at a salary of \$22,500.

Employee Benefits (\$35,017): Associated statutory benefit costs related to negotiations are estimated to increase by \$3,388 (current benefits rate of 1.3% on average). The new Employee Labor Relations Associate benefits are calculated at 33% of salary for a total cost of \$24,204. The HR Consultant Assistant 2 benefits are calculated at 33% of salary at \$7,425.

Goods and Other Services (\$4,259,000): The largest anticipated expense could be the employer cost for student health insurance coverage, which is likely to be a demand in bargaining. Based on the current, published healthcare plan for students the total new cost for FY24 could be as much as \$4.26 M based on 9 months of coverage per student at \$3,097 per student.

Student employees would not be eligible for PERS coverage.

**Indeterminate Costs:**

There is an undetermined number of Exempt Staff who are enrolled in degree programs through employer-provided tuition waivers as an employee benefit. Exempt Staff are not part of represented group and would be included based on the wording of the legislation. The cost is indeterminate as the number of exempt employees who choose to enroll in a program can vary by quarter and exempt employees already receive a number of the benefits student employees would be negotiating.

Other costs associated with bargaining, such as sick and vacation coverage, are indeterminate at this time. There may be additional labor costs associated with implementation which are also indeterminate.

**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	4,831,071	4,831,071	9,362,142	9,362,142
<b>Total \$</b>			0	4,831,071	4,831,071	9,362,142	9,362,142

In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion.

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

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	1.5	1.5	1.5	1.5	1.5
A-Salaries and Wages		357,054	357,054	714,108	714,108
B-Employee Benefits		35,017	35,017	70,034	70,034
C-Professional Service Contracts		180,000	180,000	60,000	60,000
E-Goods and Other Services		4,259,000	4,259,000	8,518,000	8,518,000
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>	0	4,831,071	4,831,071	9,362,142	9,362,142

In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion.

**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
Employee Labor Relations Associate	73,344	1.0	1.0	1.0	1.0	1.0
HR Consultant Assistant 2	45,000	0.5	0.5	0.5	0.5	0.5
<b>Total FTEs</b>		1.5	1.5	1.5	1.5	1.5

**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.*