



Legislation Text

File #: LP2013-036, **Version:** 1

Labor Policy related to interest arbitration STATEMENT OF FACTS:

1. The binding interest arbitration process established by state law in chapter 41.56 RCW is limited to certain defined classes of employees, such as "uniformed personnel."
2. Court protection officers (operationally referred to as "King County Sheriff Marshals") do not fall within the statutory definition of "uniformed personnel" in RCW 41.56.030 or within any of the other classes of employees who are eligible for interest arbitration under state law.
3. On a limited trial basis, the county council is open to the county's bargaining agents negotiating contract language extending binding interest arbitration to court protection officers. Any trial agreed to by the county's bargaining agents should be limited to one interest arbitration, after which the council, in consultation with the county's bargaining agents, may consider whether the trial should continue.

FOR THE FOREGOING REASONS, LP 2010-031, Section I.6, and LAB 3-020 are each hereby amended to read as follows:

It shall be the policy of King County that binding interest arbitration only be extended to those represented groups of County employees (~~((where the provision of service by those employees is essential and absence of which would pose an immediate and dire threat to the public health, safety and welfare.))~~) who are eligible for interest arbitration under state law, except as otherwise provided in county labor policy.

On a trial basis and subject to the following conditions, the county council supports allowing the county's bargaining agents to negotiate binding interest arbitration for court protection officers (operationally referred to as "King County Sheriff Marshals"). It is understood that such a concession by the county would be made in exchange for a corresponding concession or concessions by the court protection officers in collective

bargaining. Any interest arbitration provision in a collective bargaining agreement with court protection officers should, by its explicit terms, provide that neither the issue of whether to include an interest arbitration provision in a subsequent collective bargaining agreement nor the terms of any such provision are subject to interest arbitration. The county's bargaining agents may, in their discretion, negotiate the inclusion in any interest arbitration provision of terms such as: (1) whether interest arbitration must be preceded by mediation; (2) the process for selecting an arbitrator; (3) the scope of the issues to be arbitrated; (4) the form of interest arbitration (for example, conventional vs. "final offer"); (5) the criteria to be used by the arbitrator in reaching a decision, such as the designation of comparable jurisdictions; and (6) the procedures to be followed in arbitration. This paragraph is effective only until one interest arbitration with court protection officers has been conducted, whereupon the council shall review the facts and circumstances of the arbitration. The county's bargaining agents should attempt to negotiate a requirement that the

arbitrator consider the county's obligation to protect and advance the interests and welfare of county residents and the financial ability of the county to do so.

The committee determines that this labor policy shall be _____ maintained as confidential OR ___x___ made public.

Labor Policy 2013-036 was passed as amended by the Metropolitan King County Council on 01/14/13, by the following vote:

Votes: Yes: 5 - Mr. Dunn, Mr. Ferguson, Ms. Hague, Mr. Phillips and Mr. von Reichbauer
No: 4 - Ms. Lambert, Mr. McDermott, Ms. Patterson and Mr. Gossett
Excused: 0