

Labor sees partial gains, modest disappointments at Olympia

OLYMPIA — When the Washington State Legislature wrapped up its 2007 session last month, the state labor movement looked back on a season of partial gains and modest disappointments. Democrats controlled both chambers and the governor's office for the third year in a row, and yet many of the union-supported bills tracked by the Washington State Labor Council (WSLC) died in one legislative committee or another.

Several proposals that didn't make it through the Washington Legislature may end up being passed by the Oregon Legislature this year, even though Democrats hold a slimmer majority in Salem than in Olympia. Democrats have a 32 to 17 majority in the Washington Senate, and 62 to 36 in the House.

The Washington State Legislature meets annually starting each January, with five-month sessions in odd-numbered years and three-month sessions in even-numbered years.

The highlight for labor in this year's session was the creation of a family leave insurance program, a proposal WSLC has been pushing for years. Beginning in 2009, all Washington workers will be able to leave work for up to five weeks upon the birth or adoption of a child into their families — and collect a stipend of \$250 a week (pro-rated for part-time workers.) California is the only other state that offers such a benefit. As originally proposed, the insurance would also have included family leave for a child's serious illness and would have been funded by a 2-cent-per-hour payroll tax. As passed, it will cover just maternity/paternity leave, and a legislative task force will come back next year with a proposal for how to pay for it.

Building trades unions chalked up several victories this session, including requirements that sprinkler fitters and crane operators be state-certified. The crane operator certification was clinched among legislators after a crane collapsed in Bellevue, killing a man who was in his home watching TV. The trades also won passage of a law setting minimum standards for apprenticeship utilization in school district public works projects; most government-funded construction projects in Washington now require that at least 15 percent of construction workers be apprentices — to open up opportunities for new workers to get on-the-job training.

Another new law sets up "responsible bidder criteria" for public-works contracts; in other words, contractors that break state laws, such as the requirement to pay the prevailing wage, won't be able bid on further government construction work.

Building trades unions also supported forming a new joint legislative

task force to study the underground economy in the construction industry, in response to concerns about competition from unscrupulous employers.

Public employees had successes too. The Washington Federation of State Employees (WFSE), a 40,000-member affiliate of the American Federation of State, County and Municipal Employees (AFSCME), negotiated an improved pay and benefits package last fall with the governor; the Legislature agreed to fully fund the deal. Washington state workers have only had collective bargaining rights since 2002, and this is their second union contract.

WFSE also won the right to represent two new groups — foster parents and adult home care providers. Washington will be the first state in the nation to recognize a foster parents union. While the state's roughly 6,000 foster parents aren't government employees, and the new law doesn't give them full collective bargaining rights, it does direct a state agency to "meet and confer" with WFSE over reimbursement rates and licensing and screening rules.

Meanwhile, the 2,500 or so adult family home care providers will be able to unionize with WFSE, as soon as it can be worked out how to combine large and small providers into a single organization. The way the program works, state-licensed facilities get \$55 a day to care for elderly or disabled individuals who are unable to live alone. Some providers are individuals who open up their own homes; others are businesses that employ others.

When union-backed bills got a vote, most lawmakers voted along partisan lines, Democrats siding with labor and Republicans voting against. There were exceptions. WSLC is still tabulating its official Committee On Political Education (COPE) ratings of lawmakers, but draft results showed Don Benton, (R-Vancouver) voting in accord with labor on the majority of issues this year, in contrast to his previous lifetime voting record of 24 percent. Benton was one of only two Republicans to vote for the family leave insurance bill in its original version.

But many important union-backed proposals didn't get a vote, because they didn't have the support of a committee chair. The way the Legislature works, each bill is assigned to a committee to look at. Each committee has a chair who controls the agenda. Only if a bill is passed by a committee does it generally get a vote of the House or Senate. And in order to become law, bills must pass both chambers and get the signature of the governor.

"The Legislature is set up to kill legislation, not pass it," said WFSE lobbyist Tim Welch.

One bill would have allowed public

employees to unionize by "card check." Another would have prohibited aerospace employers that received state tax incentives from forcing employees to attend anti-union meetings. Another would have required a list of all state tax exemptions to be included with the governor's biennial budget proposal.

Proposals to stop fraud in the initiative system got nowhere. One would have provided more campaign finance disclosure during the signature-gathering phase of initiative campaigns. Another would have required the licensing of paid signature gathering firms, and training and permitting of paid signature-gatherers. A third would have required signature gatherers to sign a declaration on the back of the petition, attesting that the signatures on the petition are those of registered voters.

For the second year in a row, unions pushed a bill that would have required employers with more than 1,000 workers to reimburse the state if their employees are uninsured — and poor enough to be enrolled in tax-subsidized health plans. Wal-Mart, in other words. Last year House speaker Frank Chopp (D-Seattle) drew the ire of John Sweeney, the president of the national AFL-CIO, for killing a similar bill, which was supported by the majority of legislators. This year, said WSLC spokesperson David Groves, most lawmakers were spooked by a federal court decision that overturned a similar law in Maryland.

"Often bills take a number of years to pass," Groves said. "This is the start of educating the Legislature. We plan to push harder next year."

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