



A weekly report from the Washington State Labor Council, AFL-CIO

Legislative UPDATE



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Lobbying Intensifies as Session Heats Up

Two weeks into the session and bills are flying. During this short session everyone is scrambling to get their issues heard. We have a round-up of bills in this issue as well as a report on the state of the health care reform legislation.

WSLC President Rick Bender was busy testifying on a couple different issues this week. First in the House Appropriations Committee Rick emphasized the need for a dual focus when preparing our youth for life after high school. He agreed that there must be high standards for kids who want to go on to college, but pointed out that the highest growth industries in our state are in desperate need of well-trained, high-skilled workers in the trades. He was a strong voice in emphasizing the need for technical training and apprenticeships to prepare workers for these high-skilled jobs.

Rick also submitted testimony on Governor Gregoire's Climate Action and Green Jobs bill saying the legislation would "build pathways to prepare people for good family wage jobs in non-polluting employment as well as promoting sustainability of our natural resources."

The Apollo Alliance has brought a diverse group of leaders together to sponsor this legislation including labor, business, environmental and anti-poverty communities.

Dave Johnson, Executive Secretary of the State Building Trades Council said: "Labor is committed to the development of environmentally sustainable technologies here in Washington. We agree with Governor Gregoire that these emerging industries are an excellent opportunity to create family wage jobs, support area wage standards, and make a commitment to help our environment."

Dave explained how the Building and Construction Trades industry is already equipped with an existing infrastructure to ensure quality, up-to-date education and training through state-approved apprenticeship programs for individuals seeking building and construction careers in green technology fields. He said: "We are pleased to be a partner in this effort to begin building a better future for Washington's citizens today."

Working Families Tax Credit

In these times of escalating gas, food and health care costs low-wage working families are caught in the cross-fire. Finally a much needed tax break has been introduced for low-wage

WSLC Legislative Conference will be Feb. 14

Leaders, staffers and rank-and-file members of WSLC-affiliated unions are invited to get a progress report on labor's legislative agenda at the Washington State Labor Council's 2008 Legislative Conference, from 8:30 a.m. to 1:00 PM on Thursday, Feb. 14 at the Olympia Red Lion Hotel. As always, there will be a reception from 6:30 to 8:30 p.m. the preceding evening on Wednesday, Feb. 13 at the hotel with many legislators and other state officials in attendance. The conference registration fee, which includes materials, lunch and one admission to the reception, is \$50.00. Get more information, including registration forms, at www.wslc.org.

workers. Representative Tami Green introduced HB 3234 and Senator Craig Pridemore introduced SB 6809 to create a Working Families Credit equivalent to 10% of the Federal Earned Income Tax credit.

"Workers with lower wages face a daily challenge to make ends meet," said Rick Bender, President of the Washington State Labor Council. "The Working Families Credit will help families who need it the most."

It is estimated that 350,000 of the lowest paid Washingtonians will benefit from this tax credit. We urge your support of this legislation.

Bully Pulpit

Where do school yard bullies go? They continue bullying at the workplace. According to Zogby International an astonishing 37% of US workers have been bullied at the workplace. According to the poll 72% of the bullies are supervisors or bosses. This explains why in 62% of the cases, when made aware of bullying at their workplace, employers do nothing!

Senator Rosa Franklin introduced SB 6622, which was heard in Senate Labor on January 22, to give remedy to workers

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who faced relentless bullying at work. Three cheers to Senator Franklin for standing up to bullies and we encourage the rest of the legislature to do the same and pass SB 6622.

Health Care Twists and Turns

According to the largest, broadest coalition ever to come together to change health care in WA State, the Healthy Washington Coalition (HWC), slow and steady progress is the only way to create the changes that will improve quality, contain costs and increase access to health care for all Washingtonians.

We thought it was working The Insurance Rate Accountability Act (SB 5261) addresses costs by insisting that the huge, profiteering insurance companies (supposedly nonprofits) in the individual market must justify any rate hikes to the State Insurance Commissioner. It is the right thing to do. We must stop the 20 to 30% yearly rate hikes we have seen.

The Democratic majority wanted to bring the bill to the floor for a vote today, but the Republican caucus blocked the effort. Apparently they care more about the health care insurance industry than they do about their constituents. The bill will now be brought to the floor for a vote next Wednesday at 10 a.m.

The Prescription Privacy bill will, we hope, move out of both the House (HB 2664) and Senate (SB 6241) committees next week. That is the legislation that stops pharmaceutical companies from purchasing the prescribing records of physicians for marketing purposes.

The bill to create a Working Group to study health care proposals (HB 2536 and SB 6333) took some interesting twists and turns this week but is now out of the House Health Committee. We were surprised when appointment of the Working Group was assigned to the Office of the Insurance Commissioner, but we were pleased to hear that decision will be amended so that appointments will be handled by the Governor while the contract is managed by the Office of Financial Management.

We anticipate that an Independent Working Group will objectively analyze the 5 or 6 health care proposals and have a robust discussion with citizens throughout the state before their report is due in December, 2008.

Overtime Fairness for Truckers

For the last twenty-five years workers who work directly for a farmer on products produced by that farmer have not gotten overtime pay— this includes transporting the product to the packing house or to market. However when outside workers in the trucking industry were hired to transport a farmer's goods to the packing house or to market they did get overtime pay.

In 2006 things changed. The WA State Supreme Court decided in *Cerrillo v Esparza* that the convoluted language of the law covering OT for farm workers didn't fit the twenty-five year practice of paying overtime to workers in the outside trucking industry. As a consequence, workers in the trucking industry

had their overtime pay taken away. This is not right and it is not fair. HB 2979 corrects this problem and restores the overtime pay to workers in the trucking industry. The WSLC is working to pass this bill.

Over the "Brink" Reaction

Brinks Company workers won a Supreme Court decision last October that ensures that they get paid while driving their company trucks from their home to their first job site of the day and from the last job site back to their home. This may seem trivial, but it's not.

Brinks requires their drivers to take their trucks home at night. The trucks essentially act as the workers' office, housing the tools and supplies workers use to install home security systems. Each morning, the drivers find out the location of their first assignment, they get into their trucks and they drive there; when they finish their last assignment they drive back home. Brinks didn't want to pay drivers for this commute time. The drivers went to court and won.

Now some in the business community want to overturn the Brinks decision with legislation this session. This is unfair to workers in the state of Washington. The Brinks decision did not address normal commute time to and from a traditional workplace in an employers' vehicle. That would not be considered work time. But when a worker goes directly to an offsite work location it is fair they be compensated for that drive time. Labor is willing to work with L&I and the business community to clarify this regulation if indeed this needs to be done.

Some Other Hearings Next Week

TUESDAY @ 10 a.m. House Judiciary Committee: hearing HB 3104 that makes important technical fixes to the domestic partnership bill passed last year. @ 1:30 p.m. House Commerce & Labor: hearing HB 3121 Underground Economy; HB 3122 to clarify independent contractor definitions; HB 2967 Unemployment Insurance benefits for workers leaving work to enter apprenticeship training; and HB 2864 a prevailing wage bill. @ 1:30 p.m. Senate Government Operations: SB 6776 whistleblower protections.

THURSDAY @ 3:30 p.m. Senate Labor & Commerce: hearing SB 6737 to allow collective bargaining for TA's and research assistants at WA State Univ. and they will also hear SB 6750 which provides injured workers benefits on appeal when the Department has found that they are entitled to their benefits.

FRIDAY @ 1:30 p.m. House Commerce & Labor: hearing HB 3139 regarding benefits on appeal and they will also hear HB 2142 which addresses the problem of workplace bullying.