Partisanship supercedes voting rights—again

By ERIC GONZALEZ

Taxation without representation. It’s a grievance that launched the American revolution, one that prompted the most fundamental tenet of our democracy: that all of us should get a fair vote in who fundmental tenet of our democracy: that all of us should get a fair vote in who

This 2016 Legislative Report of the Washington State Labor Council, AFL-CIO describes multiple efforts to make our state a better place to live and work. Unfortunately, partisan political divisions in our state government have blocked most of those efforts. From holding corporations like Boeing accountable for the tax breaks they get, to funding our public schools and colleges, to making sure our jobs are safe, positive legislative efforts to address critical issues are caught in a logjam. Many pass the Democratic-con trolled House and are killed in the Republican-controlled Senate. Similarly, legislative attacks that would lower wages, weaken the safety net for injured workers, and make it harder to reform our broken revenue system pass the Senate but die in the House. Neither party always does the right or wrong thing for working families. But as you’ll read in this report, these patterns keep repeating on issues that working people care about. The end result: Washington D.C.-style politics are blocking progress in our Washington. But we can’t withdraw in cynicism. Organized labor has a long, proud history of proactively advocating for justice and fairness for all workers. So read this report, study what happened in Olympia this year, learn how individual legislators voted, and you’ll be reminded why elections matter.

Time’s up: Legislators must fund state’s needs

By JOE KENDO

Washingtonians need health care, Bills in Brief ................... 

The gross political attack on Gov. Jay Inslee through the Senate Republican’s firing of Secretary of Transportation Lynn Peterson laid bare the stark partisan lens through which they view the world. Secre tary Peterson had been universally

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Party leaders have been empowered to deal with climate change, to name a few. Partisan political gridlock has weakened our communities and our democracy.

Senate GOP: Put down your shovels

As Molly Ivins used to say, “The first rule of holes: When you’re in one, stop digging.”

My message to Senate Ways and Means Chairman Andy Hill (R-Redmond) and the Senate Republican majority: “Put down your shovels.”

Expectations were low for the 2016 legislative session and these expectations were met.

I’m not saying that nothing good came out of this session. And I’m surely not saying there’s no difference between the Democratic-led House and the Republican-led Senate.

I am saying that the partisan gridlock we have suffered through since the Senate came under Republican control has prevented us from dealing with the biggest is sues facing our society today: fully funding education, providing critical social services, creating fair voting rights, addressing income inequality and the opportunity gap, rebuilding our infrastructure, creating a fair and adequate revenue structure, and dealing with climate change, to name just a few. Partisan political gridlock has weakened our communities and our democracy.

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Put down the shovels

Continued from Page 1

praised for her work on the Skagit River replacement bridge and Oso reconstruction work. She was complemented by the Republican chair of the Senate Transportation Committee, Sen. Curtis King (R-Yakima), for her work on the 2015 transportation package. Young was unimpressed and disappointed, as were the hardworking employees at the Washington State Department of Transportation, on the Senate floor as Republicans fired her with no notice and no opportunity to defend herself. Apparently the desire to score cheap political points outweighed Secretary Peterson’s record as well as standards of common decency.

This level of partisanship does not bode well for putting the shovel down. Yet the budgetary day of reckoning is nearly upon us.

Going into the 2017-19 biennial budget cycle, our Legislature will have to ante up $3.5 billion to satisfy the Supreme Court order to adequately fund K-12 education, plus $1 billion for mental health services, plus another $1 billion or so for caseload growth. Talk about holes. “Can you hear me up there?”

We are in a seriously deep revenue hole that no budgetary tricks or fund sweeps are going to resolve. The Legislature has been digging this hole for a long time, but now it’s time to pay up (see Joe Kendo’s revenue article on Page 1). When those negotiations begin, remember that a big part of being an elected official is to “tax and spend” for the good of our state and its residents.

The taxing part ought to be done in a way that creates fairness and the spending part is an investment in those common things that benefit us all.

How partisan these negotiations are will be determined in large part by the 2016 elections. Given the current state of the economy and the issues being raised in the presidential race, voters are paying attention to what their legislators do -- and what they neglect to do. A quick inventory of issues voters are expressing their interest in include:

- Raising the minimum wage and providing paid sick days;
- Expanding voting rights;
- Opposing trade deals that cause job and income loss;
- Restoring democracy by overturning Citizens United;
- Protecting employment standards including prevailing wages and apprenticeship training;
- Enhancing safety and health at the workplace;
- Supporting collective bargaining rights;
- Taxing the polluters and reinvesting carbon revenue in a “just transition” for workers, communities, vulnerable populations, and doing a new, fair, and progressive tax system.

The law’s success is rooted in the fact that it provides dedicated funding through the hazardous substance tax, a modest 7% tax on hazardous substances with the largest portion of revenue coming from oil. In addition to cleaning up and preventing pollution, the law creates living-wage jobs; supports pollution reduction in urban and rural areas, including low-income and highly impacted communities; and encourages redevelopment and investment in areas once burdened by pollution.

This rapid drop in oil prices and an increasing reliance on MTCA funding in the state budget for unrelated purposes have created the largest funding shortfall in the law’s history. Since the Legislature adopted the biennial budget in 2015, hazardous substance revenue declined by about $102 million. To balance the books in 2016, budget writers had the daunting task of closing a roughly $80 million funding gap.

In December, Gov. Jay Inslee proposed a budget that maintained funding for the programs funded by the tax and provided $26 million in bonds to keep many cleanup and prevention projects on track. After much debate, the Legislature adopted a final budget that preserved some project funding but also relied on cuts and project delays to address the shortfall. As a result, the state faces a hiring freeze for environmental programs and a number of cleanup and stormwater infrastructure projects are stalled in communities like Bellingham, Silverdale, and Everett.

This funding crisis is expected to linger with an even larger shortfall looming in 2017. Broader collaboration between workers and environmental advocates, and local communities could help restore and stabilize funding. With more than 5,700 toxic sites under cleanup or awaiting cleanup and billions of dollars needed for prevention and pollution control projects, we can’t afford to wait.

Darcy Nonemaker is Legislative Director for the Washington Environmental Council.

D.C.-STYLE POLITICAL DYSFUNCTION

Senator Republicans’ ambush and firing of state Department of Transportation Secretary Lynn Peterson was shameful partisan politics of the kind normally found only in the other Washington.

As The Seattle Times pointed out, her firing had little to do with her job performance. It was about blaming her and Gov. Jay Inslee for unpopular I-405 express-toll lanes established with bipartisan support. Cynical partisan politics supplanted common decency as Republic senators voted to fire Peterson with no opportunity to defend herself.

Similarly, Senate Republicans spent $150,000 on a separate, partisan investigation into mistaken early releases in the Department of Corrections. The governor had already hired independent former U.S. prosecutors to do the same thing, and, by all accounts, was and is taking the matter very seriously. Not satisfied with the political damage

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- Enhancing safety and health at the workplace;
- Supporting collective bargaining rights;
- Taxing the polluters and reinvesting carbon revenue in a “just transition” for workers, communities, vulnerable populations, and creating jobs in the clean energy economy;
- Making sure that those with high incomes and wealth pay their fair share of taxes; investing fully in K-12 public education before considering charter schools; investing in our crumbling infrastructure; building affordable housing; and ending mass incarceration and giving ex-offenders a second chance by “banning the box” and reforming exorbitant legal financial obligations that block the path to re-entry.

Many of these issues are captured in the WSLC Legislative Voting Records for 2015 and 2016, or in this Legislative Report as worthy bills introduced but not passed. These are the types of issues union members and non-members alike are interested in hearing politicians discuss on the campaign trail. Many bills addressing these issues have passed the House over the past two years, but not the Senate.

It’s time to put the shovels down. It’s time to get out of the hole.

By Darcy Nonemaker

In 1988, Washington voters passed Initiative 97, a groundbreaking measure that provides resources to clean up and prevent harmless toxic pollution. Known as the Model Toxics Control Act (MTCA), it is responsible for:

- Cleaning up roughly 6,344 toxic sites across the state;
- Preventing and controlling the release of large amounts of harmful pollution like PCBs and mercury or PCPs; and
- Encouraging impacted communities; and encourages pollution reduction in urban and rural areas, including low-income and highly impacted communities; and encourages redevelopment and investment in areas once burdened by pollution.

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Darcy Nonemaker is Legislative Director for the Washington Environmental Council.

Drop in oil prices, diverted dollars harm toxic cleanup efforts

The Washington Legislative Report is an annual publication of the Washington State Labor Council, AFL-CIO

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PRESIDENT’S COLUMN

Jeff Peterson

The Spokesman-Review
**State should be health care innovator**

By JOE KENDO

The federal Affordable Care Act fundamentally changed the nature of health care in the United States, but the fight for universal quality affordable care is far from over. Millions of Americans are still left out, and many thousands of them are our friends, neighbors, and family members here in Washington.

Sponsored by Rep. June Robinson (D-Everett), HB 1321 established that the public policy goal of our state is to ensure that all Washingtonians have health care coverage by 2020. Why is this important? In 2017, the ACA allows for states to seek a “1332 waiver” to innovate coverage options outside of the current standards set forth by the law, provided that costs do not increase overall, and that more people are covered. That means Washington has an opportunity to lead the nation in health care innovation. A proposed amendment to HB 1321 would have instructed the state Health Care Authority to seek a 1332 waiver so we could experiment with superior coverage options and set a timeline for developing policy proposals. HB 1321 passed the House Health Care and Wellness Committee—unfortunately, without the amendment—but failed to pass the full House. It did, however, set up an important conversation with lawmakers about the need to continue the struggle for health care for all. Future legislatures must address those who have been left out of the ACA’s reforms. Using the 1332 waiver would give us the flexibility to build on the progress made by the Obama administration.

Makini Howell, owner of the Plum Bistro restaurants and food trucks in Seattle, explains her support for Initiative 1433 at the March 5 signature-gathering kickoff event held at the WSLC offices in Seattle.

I-1433 would ‘Raise Up Washington’

Last year on party-line votes, Democrats in the House passed bills to raise Washington’s minimum wage and allow all workers to earn paid sick leave. Despite polls showing an overwhelming majority of voters support these changes in employment standards, Republicans in the Senate killed them.

This year, rather than suffering more obstruction, advocates for these policies, including the Washington State Labor Council, formed Raise Up Washington to take them straight to the voters. Initiative 1433 will raise our hourly minimum wage to $13.50/hour by 2020 and then adjust it each year for inflation, and also allow all workers earn one hour of paid sick leave for every 40 hours worked so they can take care of themselves and their family when they’re sick without fear of being fired or losing a day’s wage. As of this writing, volunteers are gathering the 260,000 valid signatures needed to qualify for this fall’s ballot. Again, polls show voters enthusiastically support the measure. Visit www.RaiseUpWA.com for details and updates.

**GOP politicizes restroom access**

Late last year, the state Human Rights Commission clarified the policy that transgender people can use bathrooms and locker rooms in public buildings consistent with their gender identities. Sensing a political issue, Republicans in Olympia responded with legislation intended to reverse that decision and take a step backwards on civil rights.

As you can see, this session was once again a tale of two chambers on labor priorities. Rep. Sells’ HB 1321 would have made it much easier for companies to misclassify workers as independent contractors to avoid paying workers’ compensation coverage. It’s another “new economy” effort to sever the employer-employee relationship so app-based companies can dispatch and control their “independent contractors” without the employer-employee relationship in statute ensures the protections fought for by generations of trade unionists nationally, and right here in Washington state. For example, prevailing wage laws ensure workers on public contracts get community-based wages and avoid low-quality, poorly crafted public facilities. Protecting the employer-employee relationship in statute ensures safety nets are available when workers are laid off or injured at work.

Every year, there are proposals to strengthen or weaken laws protecting workers’ dignity, and 2016 was no different. The Democratic-controlled House passed two important laws to promote fair wages and quality training, while the Republican Senate sought to weaken protections for Washington’s workers.

**PREVAILING WAGE TRAINING**—The Washington State Building and Construction Trades Council led an effort to pass HB 2844, sponsored by Rep. Timm Ormsby (D-Spokane). It would have required that public works contractors be trained in prevailing wage standards and compliance to qualify as responsible bidders. This requirement makes sense in the context of other standards that must be met by contractors wishing to engage in public works construction. WS-BCTC activism, and Ormsby secured House passage of the bill 64-45 (see House Vote #166) and its companion SB 6571 sponsored by Sen. Steve Con-way (D-Tacoma)—were killed without a hearing in the Senate Commerce and Labor Committee chaired by Sen. Michael Baumgartner (R-Spokane).

**ELECTRICIAN CERTIFICATES OF COMPETENCY**—In a similar vein, the IBEW and Rep. Chris Reykdal (D-Tumwater) championed HB 1590, which would have required completion of a certified training program, like an apprenticeship, prior to engaging in electrical trade. It passed the House 51-47 (see House Vote #88), but died in Baumgartner’s Senate labor committee without a vote.

The theme of good bills protecting workers and the public dying in the Senate Commerce and Labor Committee was a common one. The myopic nature of the committee’s mission in a work environment continued this year as several bills were heard that aimed to erode protections for people in the trades, transportation, home care, and public service. Two bills of particular concern which passed off the Senate floor originated from this committee.

**DIGITAL PLATFORM EXEMPTION**—Sen. Baumgartner’s SB 6289 would have given digital applications a free pass on their obligations to employ workers, in this case for workers providing their compensation coverage. It’s another “new economy” effort to sever the employer-employee relationship so app-based companies can dispatch and control their “independent contractors,” giving them a competitive advantage over similar employers who play by the rules and provide for this basic safety net. It passed the Senate 31-18 (see Senate Vote #3), but died in the House Labor & Workplace Standards Committee chaired by Rep. Mike Sells (D-Everett).

**REDEFINING WORKERS**—Similarly, Sen. Baumgartner’s SB 6321 would have made it much easier for companies to misclassify workers as independent contractors to avoid paying workers’ compensation. It passed the Senate 29-20 (see Senate Vote #26), but died in the House Labor Committee.

As you can see, 2016 was once again a tale of two chambers on labor priorities, Rep. Sells’ House Labor Committee, including Reps. Ormsby, Mia Gregerson (D-SeaTac) and Jim Moeller (D-Van-couver), passed bills to protect wages and to ensure high construction standards. But Baumgartner’s Senate committee spent its time creating special rules for tech companies and contractors to eschew their responsibilities to workers.

**Tale of two committees**

**House labor panel attempts to improve worker protections, Senate seeks to eliminate them**

By JOE KENDO

Much of what protects the quality and dignity of work in our society is a direct result of laws and legal protections fought for by generations of trade unionists nationally, and right here in Washington state. For example, prevailing wage laws ensure workers on public contracts get community-based wages and avoid low-quality, poorly crafted public facilities. Protecting the employer-employee relationship in statute ensures safety nets are available when workers are laid off or injured at work.

Every year, there are proposals to strengthen or weaken laws protecting workers’ dignity, and 2016 was no different. The Democratic-controlled House passed two important laws to promote fair wages and quality training, while the Republican Senate sought to weaken protections for Washington’s workers.

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The votes that weren’t

Lots of bills that have a big impact for Washington’s working families never get a vote. But you can tell who supports the good, bad and ugly bills by checking the list of sponsors and committee votes. Here are some of those bills:

**HB 2638—AEROSPACE TAX BREAK ACCOUNTABILITY**—Would have tied Washington’s $8.7 billion aerospace tax incentives, the biggest tax break in U.S. history, to job creation and maintenance. If Boeing employment drops below its level when the tax break was approved in November 2013, the company would receive a smaller tax break.

**SPONSOR:** Rep. June Robinson (D-Everett)

**CO-SPONSORS:** Reps. Richard DeBolt (R-Chehalis), Cary Condotta (R-East Wenatchee), Brady Walkinshaw (D-Seattle), Noel Frame (D-Seattle), Laurie Jinkins (D-Tacoma), Mike Sells (D-Everett), Steve Bergquist (D-Renton), JD Rossetti (D-Longview), Chris Reykdal (D-Olympia), Jessyn Farrell (D-Seattle), Sharon Tomiko Santos (D-Seattle), Timm Ormsby (D-Spokane), Gerry Pollet (D-Seattle)

* HB 2638 was voted upon in House Finance Committee but failed to advance. **VOTING:** Committee Chair Rep. Kristine Lytton (D-Anacortes), Reps. Robinson, Frame, Pollet, Reykdal, Cindy Ryu (D-Shoreline) and Sharon Wylie (D-Vancouver).

**VOTING NO:** Reps. Terry Nealey (D-Raydon), Ed Orcutt (D-Kalama), Cary Condotta (R-East Wenatchee), Matt Manweller (D-Ellensburg, D-Everett), Dessie Stockett (D-Auburn), J Rockiles (R-Yelm), Laura Springer (D-Kirkland) and Brandon Vick (R-Felida).

1 NOTE: Rep. Cary Condotta co-sponsored the bill, but then voted “no” in committee. Had he voted “yes,” it would have advanced.

**HB 2932—RESTRICTING NON-COMPETE AGREEMENTS**—Would void any noncompetition agreements with temporary or seasonal employees, with independent contractors, or for employees terminated without just cause or laid off. Would have created a rebuttable presumption that a noncompetition agreement for more than one year or for employees who are not executives is unreasonable and void.

**SPONSOR:** Rep. Derek Stanford (D-Bothell)

**CO-SPONSOR:** Reps. Timm Ormsby (D-Spokane) * HB 2932 advanced out of the House labor committee on a party-line vote. **VOTING YES:** Reps. Mike Sells (D-Everett), Mia Gregerson (D-SeaTac), Jim Moeller (D-Vancouver), and Ormsby.

**VOTING NO:** Rep. Matt Manweller (D-Ellensburg). It died without a floor vote.

**THE BAD**

**SB 6410—UNDERMINING PUBLIC EMPLOYEE UNIONS**—Freedom Foundation-backed bill to inject instability into the mission of public sector unions, end-running current democratic processes. The company would receive a smaller tax break.

**SPONSOR:** Sen. Steve Hobbs (D-Lake Stevens)

**CO-SPONSOR:** Sens. Michael Baumgartner (R-Spokane), Ann Rivers (R-La Center), Jan Angel (R-Port Orchard), Barbara Bailey (R-Oak Harbor), Judy Warnick (D-Moses Lake), Jim Honeyford (R-Sunnyside), Linda Evans Parlette (R-Wenatchee).

**SB 5509—REDEFINING OCCUPATIONAL DISEASE**—Would redefine occupational disease with a new 4-part test that gives employers near immunity for any illnesses/conditions that can be partially blamed on non-work activities, and dramatically restricting the time frame for filing claims.

**SPONSOR:** Sen. John Braun (R-Centralia)

**CO-SPONSORS:** Sens. Michael Baumgartner (R-Spokane), Ann Rivers (R-La Center), Jan Angel (R-Port Orchard), Barbara Bailey (R-Oak Harbor), Judy Warnick (D-Moses Lake), Jim Honeyford (R-Sunnyside), Linda Evans Parlette (R-Wenatchee).

**SB 6578—PRIVATIZING WORKERS’ COMP**—Privatizing the state-run workers’ compensation system, an idea supported by Big Insurance but overwhelmingly rejected in 2010 by voters in every county in Washington state.

**SPONSOR:** Sen. Michael Baumgartner (R-Spokane)

**CO-SPONSOR:** Sen. John Braun (R-Centralia)

* SB 6579 advanced out of the Senate labor committee on a party-line vote. **VOTING YES:** Sens. Baumgartner, Braun, Curtis King (R-Yakima) and Judy Warnick (D-Moses Lake). **VOTING NO:** Sens. Bob Hasegawa (D-Seattle), Steve Conway (D-Tacoma) and Karen Keiser (D-Kent). It died without a floor vote.

**THE UGLY**

**SB 2068—“RIGHT-TO-WORK”**—Making Washington an anti-union “right-to-work” state that bans employers and unions from negotiating union-security agreements that ensure all workers covered under a contract pay their fair share for representation. Instead, in “right-to-work” states, unions are required to represent workers who pay no dues for.

**SPONSOR:** Rep. Matt Shea (R-Spokane Valley), an embarrassment to the State of Washington. Before the 2016 session, he used his status as a state legislator to intervene on behalf of armed occupiers of federal land in Oregon. See www.thestand.org/?p=47824

**CO-SPONSORS:** Reps. Elizabeth Scott (R-Monroe), David Taylor (R-Moses), Jesse Young (R-Gig Harbor), Cary Condotta (D-East Wenatchee), and Graham Hunt (R-Orrington), who resigned this year after revelations he lied about his military service.

**SB 6579—BLOCKING LOCAL WAGE AND EMPLOYMENT STANDARDS**—Blocking local standards to raise the minimum wage and repealing those that already exist in SeaTac, Seattle and Tacoma; blocking ordinances allowing workers to earn paid sick leave and repealing those that already exist in Spokane, Tacoma and elsewhere; and blocking any future efforts by city and county government to lift local standards.

**SPONSOR:** Sen. Michael Baumgartner (R-Spokane)

**CO-SPONSOR:** Sen. John Braun (R-Centralia)

* 2015’s SB 5332, which would have done the same thing as SB 6578, was sponsored by Braun and Baumgartner, and co-sponsored by Sens. Becker, Rivers, Schoeler, Angel, Warnick, Honeyford and Hewitt.

**WHERE ARE THEY NOW?**

**THE GOOD**

SENATE

1. SB 6443 (Ericksen)—Repealing the Human Rights Commission rules on gender-segregated facilities. “Right” vote: NO (Failed 24-25, Feb. 10)

2. SB 9211 (Roach)—Amending the Constitution to require a two-thirds majority vote of the legislature to raise taxes. “Right” vote: NO (Failed 26-23, Feb. 12)

3. SSB 6289 (Baumgartner)—Addressing the use of a digital platform to employ certain independent contractors. “Right” vote: NO (Passed 31-18, Feb. 16)

4. ESB 6321 (Baumgartner)—Addressing certain exclusions from the definition of worker under industrial insurance statutes. “Right” vote: NO (Passed 29-20, Feb. 16)

5. SSB 6266 (Penrose)—Concerning reimbursement of correctional employees for offender assaults. “Right” vote: YES (Passed 49-1, Feb. 16)

6. SB 6246 (Liu amendment 670)—Amending the budget to include $12.7 million in funding for the child care providers’ collective bargaining agreement. “Right” vote: YES (Passed 25-24, Feb. 26)

7. SB 6246 (Conway amendment 684)—Amending the budget to strike the proposed merger of the LEOFF1 and TRS1 pension plans. “Right” vote: YES (Passed 25-22, Feb. 26)

8. SSB 1541 (Santos)—Implementing strategies to close the Educational Opportunity Gap, based on the recommendations of the EOG oversight and accountability committee. “Right” vote: YES (Passed 38-10, Mar. 4)

9. E2SSB 6194 (Litzow)—Funding charter schools without addressing public accountability issues. “Right” vote: NO (Passed 26-23, Mar. 10)

10. E2SHB 1390 (Goodman)—Reforming state policies on Legal Financial Obligations for people convicted of crimes. “Right” vote: YES (Passed 97-0, Feb. 3)

11. E2SHB 1646 (Senn)—Enacting the Equal Pay Opportunity Act and protecting worker communications about wages and employment opportunities. “Right” vote: YES (Passed 56-4, Feb. 3)


13. ESHB 2615 (Pollet)—Improving benefits for full-time faculty and staff at community and technical colleges. “Right” vote: YES (Passed 50-46, Feb. 12)

14. HB 2844 (Ormsby)—Adding training and prevailing wage standards to responsible bidder criteria. “Right” vote: YES (Passed 50-45, Feb. 12)

15. SB 2441 (Kibler)—Restricting the Social Security offset to disability compensation. “Right” vote: YES (Passed 53-44, Feb. 16)

16. SB 1590 (Reykdal)—Promoting apprenticeship for specialty electrician certificates of competency. “Right” vote: YES (Passed 51-47, Feb. 16)

17. SB 6286 (Pearson)—Concerning reimbursement of correctional employees for offender assaults. “Right” vote: YES (Passed 97-0, Mar. 2)

18. E2SSB 6194 (Litzow)—Funding charter schools without addressing public accountability issues. “Right” vote: NO (Passed 58-39, Mar. 9)

HOUSE

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9. HB 6202 (Pearson)—Concerning reimbursement of correctional employees for offender assaults. “Right” vote: YES (Passed 97-0, Mar. 2)

10. SB 6149 (Keiser)—Providing reasonable workplace accommodations for pregnant women. “Right” vote: YES (Passed 56-41, Mar. 4)

11. E2SSB 6194 (Litzow)—Funding charter schools without addressing public accountability issues. “Right” vote: NO (Passed 58-39, Mar. 9)
This session demonstrated once again the disdain that too many of our elected legislators, especially Senate Republicans, have for 1.2 million public school children in Washington state.

In January 2012, Washington’s Supreme Court ruled in McCleary v. State of Washington that the State Legislature was failing to fund K-12 education in accordance with the state’s Constitution. Providing for basic education is the state government’s “paramount duty,” but the Supreme Court found its fundings to be inadequate.

The court set up a timeline for compliance by 2018, with a decree to the State Legislature to develop a clear path to reach adequate funding. In 2014, the court held the Legislature in contempt for failing to make sufficient progress, but held off fines until after the 2015 session. When lawmakers again failed to make substantial progress, the court implemented fines of $100,000 per day. This year, the Legislature passed SB 6195, a “plan to come up with a plan” that essentially leaves all remaining funding for McCleary until 2017. That would be the last session before schools are supposed to be fully funded to comply with McCleary. Bad enough, right? No, it gets worse.

The Supreme Court also found that charter schools in Washington are unconstitutionally funded out of public moneys. So this year, the few and wealthy charter school supporters pumped $1.9 million into a last-ditch campaign to get the Legislature to use public funds to “save” unconstitutional charter schools. With SB 6194 (see Senate Vote #9 and House Vote #11), legislators continued the unconstitutional practice of funding charter schools with money divested from the general fund, the main source of funding for public K-12 schools. The new law funnels the money through lottery funds, thus forcing the Legislature to back fill from general funds or the long line of students hoping for college scholarships gets longer.

This cannot stand. As Karen Strickland, President of the AFT Washington notes, “Public funds belong in public schools and we object to the ongoing efforts, in spite of a Supreme Court decision, of moneyed interests to siphon funds into charter schools. We stand in solidarity with the Washington Education Association and other public education advocates to put this issue to rest once and for all.”

Elections matter. Our current Legislature not only fails to uphold the Constitution of the state, they blatantly disregard the Supreme Court’s ruling. We cannot let another generation of school children down.

### Part-time positions proliferating as 2-year colleges pursue Walmart model

By LYNNE DODSON

For many working people, Washington’s two-year colleges provide the best chance for continuing education, with academic and professional-technical programs that serve hundreds of thousands of students every year. Yet, in spite of the clear value the system brings to the state’s economy, persistent low funding has been subsidized by low faculty and staff wages, rising tuition rates, and an over-reliance on the higher tuition costs paid by international students.

In the 1970s, 80 percent of the faculty in the state’s two-year colleges were full time and tenured, 20 percent were part time, primarily hired to teach in specialty areas. Today, nearly 70 percent of the faculty teaching in the two-year colleges are paid from lower part-time salary schedules. Whole full-time salaries have declined to just under $57,000 per year; part-time faculty earn considerably less per course—less than half as much in some colleges. The Walmart Model has been whole-heartedly adopted in our two-year colleges.

The impact on students is substantial. Most part-time faculty have no office hours (most have no office), are not available for advising, are not listed in college directories, and have little or no job security from quarter to quarter. Hiring practices can be haphazard, and with many classes assigned at the last minute, faculty have little time to prepare.

AFT Washington and the Washington Education Association have addressed part-time faculty issues for years—increasing health care benefits, retirement, job security, and wages. But the system is in a crisis.

AFT-WA and the WEAA, in concert with the United Labor Lobby, promoted HB 2615 this session. This modest bill would have commissioned the colleges to address the impact on students of an educational system that relies on an underpaid, insecure workforce. The colleges would have had to plan for increasing the number of full-time faculty, raising wages, and fair and transparent hiring practices. The bill only called for creation of a plan—with no funding, the colleges were off the hook with regard to implementing the changes.

HB 2615 passed the House 50-46 (see House Vote #5), but died in the Senate Higher Education Committee. Several other higher ed proposals were not included in the final budget:

- **The technical fix** to provide state funds to support all of the I-732 salary increases at the community and technical colleges was left out of the budget, but the colleges are still obligated to pay faculty the full COLA amount.
- **While HB 2615 passed the House,** it did not move in the Senate and funding for converting PT to FT positions was not included in the final budget.
- **State increment funding continues to go unfunded,** so it is good news that the language allowing local bargaining of salary increases for experience and professional development continues throughout this biennium. This means there was no change to the budget authority that allows community and technical college faculty to bargain increments that can be funded through local resources. Without this provision, colleges could not use local resources and the funding for bargained increases would be contingent on state allocations expressly designated for them.

Once again, attempts to improve the lives of working people in this state, for hundreds of thousands of students and thousands of faculty, were thwarted by the state’s inability to backfill from general funds. This year, the Legislature passed SB 6195, a “plan to come up with a plan” that essentially leaves all remaining funding for McCleary until 2017. That would be the last session before schools are supposed to be fully funded to comply with McCleary. Bad enough, right? No, it gets worse.

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Elections matter. Our current Legislature not only fails to uphold the Constitution of the state, they blatantly disregard the Supreme Court’s ruling. We cannot let another generation of school children down.

### GOP Senate Silences women on Equal Pay

For the second straight year, House Democrats passed important legislation called the Equal Pay Opportunity Act to empower women’s rights to know they aren’t suffering wage discrimination. And for the second straight year, it was killed without a floor vote in the Republican-controlled Senate.

HB 1646, sponsored by Rep. Tana Senn (D-Meridian), would protect workers from retaliation for simply discussing their pay with each other. Today, an employer can require non-disclosure agreements on pay and block women from ever knowing that they are being paid less than men in the same positions. At a time when, on average, women still earn just 79 cents for every dollar men make, this isn’t right.

As it did in 2015, HB 1646 easily passed 56-41 (see House Vote #82). Supporters also agreed to amend the bill to address concerns about administrative enforcement and third-party lawsuits. But by the end of the session, Senate Republicans wouldn’t allow it out of the labor committee chaired by Sen. Michael Baumgartner (R-Spokane). HB 1646’s companion bill, SB 5630, was sponsored by Sen. Annette Cleveland (D-Vancouver).

**Pregnant women not accommodated**

HB 6149, the Pregnant Workers Fairness Act from Sen. Karen Keiser (D-Kent), would require employers to provide reasonable accommodations to pregnant workers, allowing pregnant women to stay in the workforce without risking their own health or the health of their babies.

Most women can work well into their pregnancies with only minor accommodations, like temporary assignment to light duty, additional food or bathroom breaks, or the ability to carry a water bottle or sit while working.

SB 6149 unanimously passed the Senate early in the session. The bill’s language was then updated in the House to remove more workplace accommodations, like temporary flexibility for workers and employers to determine what accommodations work for each situation. SB 6149 passed the House 56-41 (see House Vote #10), but Senate leaders didn’t allow a vote on the amended SB 6149, so it died.
Dairy safety bill stalls in the House

By ERIC GONZÁLEZ

Washington lacks adequate dairy labor safety standards and as a result has contributed to hundreds of injuries, including the recent tragic death of Randy Vasquez, a 27-year-old family man, whose body was found hours after he had drowned in an unmarked manure pit. A dairy farm worker dies on the job every 16 months, on average, in Washington state. Every day, at least one dairy worker suffers a job injury that’s reported to the state. Since 2009, the number of reported injuries has increased from 362 to 438 in 2013. The majority of injuries could have been avoided through basic safety-and-health standards and training, but the Darigold dairy cooperative has ignored the more than 38,000 petition signatures calling on them to engage in a dialogue with farmworker advocates to improve safety.

With the support of the United Farm Workers and the Washington State Labor Council, Rep. Brady Walkinshaw (D-Seattle) sponsored HB 2484 to provide several needed protections, including discouraging retaliation against workers who report hazards, more frequent inspections, improved safety training, and penalties if a serious or willful violation results in the death of a dairy worker. The bill passed the House Labor and Workforce Standards Committee chaired by Rep. Mike Sells (D-Everett). Dairy workers continued to press their case for the bill at a hearing before the Appropriations Committee.

“Last year my son-in-law drowned in a manure pit,” said Alberto Ayala, a longtime Yakima Valley dairy worker. “He was there for seven hours without anyone noticing him. This industry is not prepared to deal with an accident of this kind, and with 11% of the workforce suffering a workplace injury, this is alarming... We need to understand the dangers in the dairy industry and what we can do to stop them.”

Unfortunately, the bill stalled in the Appropriations Committee. Given the industry’s clear dangers and Darigold’s unwillingness to discuss safety improvements, the WSLC will continue to press for such legislation in 2017.

Neighbors deserve fair warning of pesticide drift

By ERIC GONZÁLEZ

Another safety issue faced by farm workers is pesticide drift. This occurs when pesticides are blown beyond their targets and land on people, leaving them with flu-like symptoms and potentially long-term neurological disorders that can put them out of work entirely. A recent study by the state Department of Health found that about 75% of farm workers report symptoms from pesticide exposure, and many would not report incidents out of fear of retaliation or not seek medical attention for financial reasons.

Under current law, pesticide applicators must be licensed and follow pesticide labels, many of which warn users to take precaution and avoid human contact, either directly or through drift. But since 2004, more than 470 cases of pesticide-borne illness have been reported.

HB 2392, sponsored by Rep. Lillian Ortiz-Self (D-Mukilteo), would have modernized notification systems that could help reduce instances of pesticide drift exposure. Under this “Good Neighbor Bill,” growers’ neighbors would receive a text message or call 24 to 48 hours before pesticides are applied. HB 2392 did not get the hearing it deserved in this short session. Steps are routinely taken to protect the health and safety of Washington residents, but much more must be done to protect those who plant, nurture and harvest the crops we enjoy.

Voting Rights Act

Continued from Page 1

minority bloc is systematically prevented from effectively participating in local government. Imagine this scenario: Two people in your town are running for an at-large spot on the City Council, where candidates are elected not by neighborhoods they represent, but by the issues they champion. Let’s say 40% of the town thinks oranges should be a priority and 60% favors apples. No candidates running on the oranges platform, who represent 40% of voters in town, have a chance of winning an at-large voting system. That means there is little to no incentive for elected officials to advocate for the needs of the 40%.

Now, replace oranges and apples for policies such as public safety, access to community centers and neighborhood parks, helping close the educational opportunity gap, investment in basic infrastructure projects, safe routes to school, economic development...

the list goes on. This issue is real and this inequity isn’t resolved by choosing better candidates to run, it’s about ensuring our democracy is set up to be representative of all of the people and not just a select few.

We saw this type of inequity in Yakima go unaddressed until a federal lawsuit and expensive litigation forced the city to change its election system. Immediately, communities of color and low-income voters elected the first Latinos (or, in this case, Latinas) ever to serve in the city council. Other cities are facing similar litigation but are blocked by the state from reforming their election systems on their own to address such concerns.

Senate Republicans must stop blocking the fix and stop protecting antiquated voting systems that promote taxation without representation. Our communities should be empowered to invite everyone to have a seat at the table and engage in a meaningful democracy that allows everyone to prosper, not just the privileged few. Our state must pass this issue to rest and end systemic, oppressive barriers to opportunity by passing the WVRA and restoring our civil rights.

Debtor’s prisons must end

By ERIC GONZÁLEZ

Modern-day debtor’s prisons exist throughout our nation, including Washington state. A large contributing factor are Legal Financial Obligations (LFOs), which are fees charged to defendants to cover the costs of incarceration, victims’ restitution, and discretionary fines intended to recoup court costs.

The average Superior Court LFO is $2,340. Making matters worse, the LFO interest rate in Washington is 12%—the highest in the nation—and it begins at the time of sentencing. Inevitably, the cost skyrockets and blocks many from their opportunity at a successful reentry. Barriers ex-offenders face to reentry are already significant. They grapple with limited employment and housing opportunities, and are ineligible for many local and federal public assistance programs. Lack of employment or aid, many then face re-incarceration for failing to pay their court-imposed LFOs.

In Benton County, for example, more than 20 percent of inmates were reportedly there because they couldn’t afford to pay their LFOs. Fully 30% of people with LFOs are unable to pay; if they manage to pay, more than half of restitution is kept by the courts, not by victims’ families.

The Legislature had the opportunity to reform this injustice by passing HB 1390, sponsored by Rep. Roger Goodman (D-Kirkland). It would have made common-sense reforms for more than 114,000 residents currently bound by LFOs, by removing interest on non-restitution and prioritizing restitution for victims’ families, not the courts.

Despite HB 1390’s unanimous passage in the House (see House Vote #1), Senate Republican leaders wouldn’t allow a vote. Their inaction will continue to suppress opportunities for ex-offenders to successfully reintegrate into our society. Senate Republicans should follow the lead of their colleagues in the House and end this immoral injustice—and wasteful spending—on what have essentially become debtor’s prisons in Washington state.

In Washington state, we must stop punishing people for being poor!
“Don’t tell me what you value, show me your budget, and I’ll tell you what you value.” – Joe Biden

Lawmakers in both parties will tell you that they care about schools, jobs and the quality of life here in Washington state. Take a look at this year’s supplemental budget proposals offered by the governor, House Democrats and Senate Republicans and you’ll find out which schools, what kind of jobs, and whose quality of life really matter.

GOV. JAY INSLEE—Inslee’s “modest, responsible adjustments” for the biennial budget in 2016 included funding for wildfires (2015 was a record year) and support for mental health facilities, and addressed the teacher shortage by raising the minimum salary for beginning teachers from about $35,000 to $40,000 per year and giving all other teachers a 1% raise. To pay for it, the governor proposed eliminating four outdated tax breaks.

Inslee’s plan earned positive reviews from front-line state workers and their unions. The Washington Federation of State Employees/AFSCME Council 28 said Inslee’s plan “makes vital public services and the workload of public employees a top priority.” The Washington Education Association called it a “reasonable first step toward restoring professional pay and respect to our state’s educators.”

HOUSE DEMOCRATS—Budget writers for the democrats in the majority in both chambers echoed many of Inslee’s priorities on addressing the teacher shortage and wildfires. It also prioritized funding for mental health and the homeless, identifying six “costly, outdated” tax breaks for repeal to help pay for the plan.

SENATE REPUBLICANS—The Republicans who control the Senate, led by Sen. Andy Hill (R-Redmond), proposed a budget that did not close any tax loopholes or include any money to address the teacher shortage at public schools, which serve more than 1.1 million kids. Instead, the GOP plan sought emergency funding to keep unconstitutional private charter schools open for about 1,100 students (see story on Page 6). They also proposed a surprise merger of the firefighters and police officers’ LEOFF 1 pension plan with another closed, but insufficiently funded plan, retired teachers’ TRS 1. Our state’s first responders flooded the Capitol to express their unhappiness with the proposal and it was abandoned.

Senate Republicans also, for the first time in our state, proposed not to fund a negotiated collective bargaining agreement. It would have simply ignored the $13 million from the (Family Child Care Providers’ CBA (SEIU 925).

The final budget agreement, which once again required a special overtime session to reach, ultimately funded the charter school, and provided some funding for wildfires and mental health. But it also raided lottery funds to pay for charter schools.

Revenue

Continued from Page 1

They also face nearly $1 billion in obligations to our mental health system, and likely another $1 billion in population and inflation-based increases to current program caseloads. That’s why we must demand action on new, adequate, and fair revenue to support our schools, hospitals, and other public services.

But we are working with one hand tied behind our back. The Institute on Taxation and Economic Policy reports that Washington families suffer under the most regressive tax structure in the nation, due to our overall reliance on sales taxes. Low-income families pay much more of their income in state taxes (16.8%) and the wealthy pay very little (2.4%). As the state population grows and income inequality worsens, addressing our needs gets further from reach.

Contrary to certain taxation narratives, our collective tax responsibility to the state, when accounting for inflation, has decreased dramatically since 1995. We pay nearly 25% less in taxes today from investments made decades ago, yet are failing to pay it forward for our children and our future.

Instead, we acquire debt to cycle after cycle of crisis budgeting. We reaped segregated accounts meant for local government infrastructure and environmental cleanup, and we push more obligations on to local governments, but fail to equip them with the fiscal tools necessary to pay for and expend our share.

Not every state faces these problems. A Department of Revenue analysis found that if Idaho’s tax code (a mix of income and sales taxes) were adopted here, we would have $10.2 billion more per two-year budget cycle. Oregon’s model (income taxes, but no sales taxes) would have been more than $250 million per year. For more than 20 years, we have decimated our ability to finance the programs that make our state a great place to live, work, and play. Lawmakers have nickel-and-dimed our revenue structure by adopting tax breaks without regard for long-term fiscal impacts.

Tax breaks can be used to affect social good, but they must be balanced against the cost to the public services. For example, in 2006 legislators created the Motion Picture Competitiveness program, which supports thousands of family-wage jobs. It requires that film production companies prove that local hire, wage levels, benefits, and local purchase thresholds have been met prior to receiving their tax break. This program’s cost is capped per year and it ensures that qualified jobs are created in lieu of the lost tax revenue.

This is the lens through which other tax preferences should be judged. In contrast, lawmakers have also adopted preferential tax rates for big out-of-state banks’ real estate holdings, and have given aerospace corporations historic tax breaks without requiring job creation (or even maintenance) metrics to ensure a return on our investment.

Several legislators have crafted visions for just tax policy, accountability measures, loophole closures, and new sources of revenue to buoy our public budgets and ensure sufficient revenue to meet our communities’ needs. Policies like these would help ensure sufficient, fair, and stable revenue.

Aerospace Tax Break Accountability

HB 2638, sponsored by Rep. June Robinson (D- Everett), would have tied job accountability to the historic tax breaks passed in a 2013 special session for aerospace firms. Since those preferences were made law, more than 4,000 aerospace jobs have left Washington for states that do demand jobs in exchange for special tax treatment. Robinson’s bill failed to get enough votes to move out of the House Finance Committee, but it provided a brilliant vision for job-creating local industrial tax policy. Despite Washington’s gains would go a long way toward prop- erly funding our public schools. Nearly $750 million a year could be generated from a capital gains tax that would only be paid by the wealthiest 1.7%. Recent proposals exempt the sale of primary homes and the first $50,000 in investment income to accommodate retired elders and middle-class families.

It’s easy to blame elected officials for this state of affairs. We expect our elected leaders to be courageous and do the right thing, but courageous legislatures without the support of voters can become courageous former legislators.

We cannot address these challenges without a major overhaul of our revenue system. That won’t happen unless we support legislators willing to do the right thing—especially when the mon- eted corporate interests come out swing-

ing at election time. We also must have mature conversations about the need for revenue reform. The longer we wait, the more damage is done and the further we must climb to get out of this hole.


Supplemental budget reflects values

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HB 2993 by Rep. Marcus Riccelli (D- Spokane) repealed B&O tax breaks for international banking facilities.

These tax breaks do not create jobs and are not worth the foregone revenue.

Taxing capital gains

The Washington State Budget and Policy Center reports that taxing capital gains would go a long way toward properly funding our public schools. Nearly $750 million a year could be generated from a capital gains tax that would only be paid by the wealthiest 1.7%. Recent proposals exempt the sale of primary homes and the first $50,000 in investment income to accommodate retired elders and middle-class families.

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