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2017 LEGISLATIVE REPORT

The WSLC's report and voting record from the 2017 session of the Washington State Legislature

Crisis created, then averted

With state shutdown looming, budget deal reached in triple OT

By JOE KENDO

Prior to every legislative session, we tell our members to gird themselves because every win will be hard fought, every good policy will advance by inches, and victories are as often notched by what failed to happen as by what did. But even by those standards, the 2017 session was truly one for the ages.

The labor community came to Olympia in January with a few simple goals: advance policies to lift up working families, support our sisters and brothers in K-12 as the Legislature sought to fulfill its *McCleary* obligation to amply and stably fund our schools, and ensure that the ratified state employee collective bargaining agreements were funded. All the while, we needed to band together with our community partners to ensure that the new revenue necessary was not raised on the backs of working people.

At the 11th hour—literally—before

a state government shutdown, Gov. Jay Inslee signed a budget that funded contracts, made modest investments in anti-poverty programs, injected significant funds into our behavioral health system, and added billions of dollars to our public schools. Further, the Legislature passed a historic paid family and medical leave insurance law that will guarantee paid time off for family care and bonding, and for personal disability.

Democrats secured billions of dollars for these priorities, but did so with Republican taxes. Higher state property taxes from communities in the central Puget Sound area will fund not just schools, but also a major business tax cut for manufacturers. (At press time, Governor Inslee thankfully vetoed that new tax break.) The budget once again sweeps \$200 million-plus from the Public Works Assistance Account and relies on a big transfer from the Budget Stabilization Account to bridge the gap.

Crisis budgeting, driven by brinkmanship up until the last possible hour, does not lend itself to sound finances

Continued on Page 2



On Jan. 10, the 2017 campaign to pass paid family leave kicked off at the State Capitol with Molly Moon Neitzel, owner of Molly Moon's Homemade Ice Cream (left), and Makini Howell, owner of Plum Bistro. On July 5, legislators and advocates celebrated with Gov. Jay Inslee as he signed the bill into law.



A historic win for families

Beginning in 2020, working families in Washington will have a new safety net to ensure that a new baby, ailing parent, or cancer diagnosis doesn't result in financial calamity. To paraphrase Joe Biden, this is a big deal.

Late on June 30, the same night they were scrambling to avoid a government shutdown, the Legislature approved a historic, comprehensive paid family and medical leave program. It was the result of months of negotiations between legislators, la-

bor and business leaders spearheaded by Rep. June Robinson (D-Everett) and Sens. Joe Fain (R-Auburn) and Karen Keiser (D-Kent). Gov. Jay Inslee hailed its passage as "a great bipartisan achievement."

The Washington Work and Family Coalition—convened by the Economic Opportunity Institute and including the Washington State Labor Council, AFL-CIO and many of its affiliated unions—has been working towards this day for more than a decade.

MORE on Paid Family Leave

See Lynne Dodson's column — Page 6

This is no way to govern

For the past five years the Washington State Legislature has been locked in an ugly and unproductive game of brinkmanship that has cost our state in lost jobs, wages, health outcomes, affordable housing, fair elections, needed social services, and civility.

In 2013, when Sens. Rodney Tom and Tim Sheldon, betrayed those who had voted for them as Democrats by jumping ship to the Republican caucus, partisan extremism has more often than not defined the Republican-controlled Senate.

At the time, Sen. Mark Schoesler (R-Ritzville) lauded this defection by saying, "This is the sort of coopera-



PRESIDENT'S COLUMN
Jeff Johnson

tion people are hungry for."

The Senate Majority Leader has proven over and over again these past five years that he has little idea what cooperation means and even less of an idea about what people are hungry for.

The majority of Washingtonians don't want to see workers' freedom to negotiate a fair return for their work taken away from them. Nor do they want to see

minimum wages or prevailing wages lowered. They don't believe that unemployed people should be forced to do community service, and they don't believe that local governments should

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For 5th time, GOP kills Voting Rights Act

By ERIC GONZALEZ

For the fifth straight year, Republicans in the Legislature shot down the Washington Voting Rights Act (WVRA), a bipartisan compromise proposal that would provide local governments an opportunity to create equitable, accountable election systems. It passed the House 51-46 (see Vote #2), but was killed without a vote in the GOP-controlled Senate.

HB 1800, sponsored by Rep. Mia Gregerson (D-SeaTac), would enable cities and counties to fix unfair,

undemocratic voting systems and avoid costly litigation. It addresses polarized voting, a method of voter suppression that excludes the voices of the communities of color and low-income families.

At-large city-wide election systems are prone to polarized voting patterns. The majority determines every member of the city council, school board, public utilities district—positions that can dramatically impact a community's social, health and economic

See Revenue on Page 8

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This is no way to govern

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be prevented from setting workplace standards above the state level.

Yet for the past five years, the Republican Senate has introduced legislation that would limit collective bargaining rights, lower wages, and preempt cities from setting benefit standards above state minimums. They have also opposed the Washington Voting Rights Act, significant reform to Legal Financial Obligations and Second Chance Legislation, all of which would have provided voice and rights to individuals of color.

Twice in three years, the Senate Republicans have taken us to within hours of shutting down government to avoid agreeing to any significant progressive revenue reform and in an attempt to extract unpopular partisan policy changes written by ALEC

and funded by the Koch brothers.

This has got to stop.

Over the coming weeks and months we will be able to analyze more closely what actually lies in the operating budget and the impact that the property tax hike will have on low and moderate income families living in wealthier areas of the state. Having little to no time to actually read, think about and debate budgets and tax bills is no way to do business. It simply adds to the general cynicism the public has about politics.



PRESIDENT'S COLUMN
Jeff Johnson

I want to thank Governor Jay Inslee and House and Senate Democrats for putting forth a set of progressive tax reforms, e.g, capital gains and reforming the B&O tax. But once again, the Republicans have refused to deal with our upside down tax system and instead rely on fund transfers, drawing down the rainy day fund, and a property tax hike and shift that needs more analysis.

The problem with brinkmanship politics is that you are forced to sacrifice long-term investments for crisis spending. Had we passed progressive revenue reform in 2013, our state could have made the long-term investments in higher education, mental health, infrastructure, climate adaptation, and long-term care that our residents really need. Instead, those decisions are left for another day.

I am glad that the operating budget funds the state employee contracts bargained and ratified last fall. These workers have been asked to do so much with so little, it is high time that we began recognizing their value.

I also want to recognize and say thank you to the legislators and community and business negotiators on the Paid Family and Medical Leave Act. This is a significant piece of social insurance legislation, a truly portable benefit for workers and their families. It is almost 30 years since we passed the Sick Child Act prime sponsored by Rep. Sally Walker, and a decade since Sen. Karen Keiser primed and passed the first Family Leave Insurance Act. Finally, we have a program that will strengthen workers, families, businesses and communities.

Budget

Continued from Page 1

and policy making. Sure enough, the longer we review this budget, the more warts become apparent. But given the deep partisanship that pervades our politics and our divided state government—with Democrats controlling the House and Republicans the Senate—the risks posed to workers and unions were clear. Right-to-work legislation, minimum wage rollbacks, workers' compensation erosions, and efforts to undermine prevailing wage were rampant.

And yet, none of them came to pass.

The relative gains secured during this session—paid family leave, education funding, contracts, and responsible bidder legislation—are testaments to the hard work and constant organizing of Washington's workers, their unions, and their community partners. But the threats remain. Washington is potentially one House seat and one governor away from Right to Work, low wages, and health-care repeals. Our work is not done and the path to securing dignity for working people runs through the Senate.

Missed opportunity for tax reform

While the 2017 session(s) delivered historic gains in paid family and medical leave, collective bargaining agreements



Public employees and their supporters held dozens of rallies and events to urge legislators to pass a fair 2017-18 budget.

for state employees, and new money for schools, legislators also missed opportunities to cement Washington as a truly trendsetting state. Over \$7 billion in new revenue was required to meet the state's obligations to students, workers and families in need, but the Legislature failed to do the bold thing by raising revenue while making our upside-down and backward tax code more fair.

It was not for lack of trying. House Finance Committee Chair Kris Lytton (D-Anacortes) introduced HB 2186, a tax reform bill to repeal unproductive tax loopholes, and create new sources of revenue to fund services without further burdening working families and people living in poverty. HB 2186 would:

- Make the purchase of a home easier by lowering the Real Estate Excise Tax for affordable homes, while increasing it on houses worth \$1 million or more.

- Effectively eliminate the B&O tax for small businesses while raising it for the state's most profitable companies.

- Create a modest 7% tax on the sales of stocks and bonds through a capital gains tax, with common-sense exemptions for retirement income, the sale of a home, and the first \$50,000 in capital gains per family per year.

Despite the need for major reform of our regressive tax code, and despite the broad benefit these reforms would deliver for rural and urban Washingtonians alike, Republican budget negotiators refused to adopt them. Instead, the GOP Senate passed billions of dollars in property tax increases, and refused to budge even when facing a government shutdown. In addition, they demanded a major business tax cut for manufacturers, effectively moving the goal posts at the last minute with everything at stake.

Ultimately, the Legislature did the right thing by funding services, state employee contracts and public schools to avoid, if barely, a shutdown. But it missed an opportunity to deliver a win for working families, small businesses, rural communities, and future generations of taxpayers when it failed to adopt real revenue reform.

and retain the talent necessary to deliver critical public services. Our unions negotiated with the governor's office for collective bargaining agreements that include 6 percent in raises over the next two years, but the Legislature needed to fund them. Initially, Senate Republicans refused to fund the CBAs in their budget (see Vote #8) and undermined the financial stability of state worker health care.

As budget talks reached their end game after multiple overtime sessions with a July 1 state shutdown looming, some unexpected allies bucked their party leaders and stood with state workers. Sen. Phil Fortunato (R-Auburn) sent a letter to Republican Ways & Means Chair John Braun stating that he would not support a budget that did not fund state employees' negotiated contracts. Also weighing in for state workers were Republican Sens. Kirk Pearson (Monroe), Maureen Walsh (Walla Walla) and Mark Miloscia (Federal Way).

These senators also refused to sign on to an omnibus workers' compensation attack bill (see story on Page 7) despite its sponsorship or co-sponsorship by every other member of their caucus. And while budget negotiators worked through two-and-a-half special sessions, Republican Sen. Joe Fain (R-Auburn) partnered with Sen. Karen Keiser (D-Kent), Rep. June Robinson (D-Everett), and House Republican Reps. Matt Manweller (Ellensburg) and Gina McCabe (Goldendale) to pass a paid family and medical leave insurance bill.

This bipartisan support is not a matter of luck. Union members have spent years building power, and relationships, with elected officials in their own backyards, and with those community groups who share our values. These legislators have opened their doors to workers in their districts and formed important relationships so that when workers step up to speak, they listen.

Bipartisan silver linings

A lot has been written about the partisan rancor in Olympia this year—and you will see more of it in these pages—but myopic politics was not the only story to be told this session. Several times, workers saw legislators cross the aisle to do right by working people.

In 2016, state employee unions made significant progress in helping public employees get back on their feet after years of financial harm lingering from the Great Recession. Year after year of missed cost-of-living adjustments, layoffs, and increased health-care costs, state agencies have struggled to recruit

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As Boeing sheds jobs, still no accountability

Chicago jetmaker will soon seek more handouts in bidding for 797 work

Since 2013, when the Legislature and The Boeing Co. extended an estimated \$8.7 billion in tax incentives, instead of increasing employment in the state as our Legislature intended and the public expected, the Chicago-based company has cut nearly 13,000 jobs here—more than 7,000 in the past year alone—with more cuts planned.

Meanwhile, other states with Boeing manufacturing sites are being spared job

cuts on this scale. Could this be because those states, unlike Washington, require the company to create/maintain a certain number of jobs to get their tax breaks?

This year, the House Finance Committee held hearings on HB 2145, sponsored by Rep. Noel Frame (D-Seattle), and HB 2146 by Rep. Richard DeBolt (R-Chehalis). Both bills proposed amending the aerospace tax incentives—which have already been amended several times since they were enacted in 2003—to add job conditions for Boeing to receive the full tax incentives.

“My colleagues and I don’t understand why the company is offloading

significant work from the Puget Sound area,” Boeing engineer Mark Friesen testified. “I’m in favor of tax incentives, but I’m also in favor of good jobs.”

At the hearing, current and recently displaced Boeing employees were joined by parents and schoolchildren concerned about school funding, and advocates for good government and equitable tax policies. But for the unions that represent Boeing workers—Machinists District Lodge 751 and the Society of Professional Engineering Employees in Aerospace/IPPTE 2001—testimony focused on the thousands of jobs cut by Boeing while the company continues to

receive its full tax breaks. The bills were sponsored by dozens of Democrats and Republicans (see the list on Page 4), but they failed to advance in 2017.

By the time the Legislature reconvenes in 2018, Boeing lobbyists will likely have returned with their hands out. In June, the company announced its next jet, the 797, will be made from carbon fiber composite. All of it, not just the wings like those made for the 777X in Everett. Building a composite fuselage facility would require another big investment from the company.

Will the third time finally be a charm in requiring some accountability?



Clean energy bill gets a hearing

But failure to act on climate may push issue to 2018 ballot

Despite having a federal government that refuses to acknowledge climate change, the coalition of unions, businesses, organizations and individuals that comprise the Alliance for Jobs and Clean Energy strongly believes that Washington state can—and must—step up as a leader for effective and equitable climate policy.

The Clean Energy Transition Act (HB 1646), sponsored by Rep. Joe Fitzgibbon (D-Burien), represents an innovative and comprehensive climate solution based on the principles of the Alliance. It would also position the Evergreen State as a global leader in cutting carbon pollution equitably and effectively. HB 1646 prices pollution and funds the solutions to climate change: investing in clean energy, clean water and healthy forests, and protecting disproportionately impacted communities and workers in the process.

“HB 1646 recognizes that we must tax carbon and that we must invest those revenues in providing equity, high-quality jobs, and the clean energy economy,” said WSLC President Jeff Johnson. “The economic transition away from fossil fuels must be intentional and done in such a way that workers and communities are not left behind, but have an opportunity to prosper in the new economy.”

The bill was heard in the House Environment Committee, but did not advance. This effort cannot wait and, amid reflexive opposition from polluting industries and their advocates in Olympia, it may have to be taken directly to voters in 2018.

“Climate change is real, it’s wreaking havoc on our economy and our environment, and must be dealt with, with urgency,” Johnson said.

Voters approve ST3, GOP disapproves

Conservatives in Olympia say every tax increase should be put to voters. And yet, even when that happens and voters say “yes,” those same politicians often seek to undermine the will of the voters.

Last November, voters in the Puget Sound region demonstrated that they are ready for bold action to expand mass transit, connect people to major employment centers, and reduce reliance on our gridlocked roads. Sound Transit Phase 3 (ST3) was approved by voters to advance critical plans expanding light rail, commuter rail, and bus rapid transit connecting Tacoma, Everett, Seattle, Redmond, Bellevue, and Federal Way.

In February, *The Seattle Times* reported some owners of expensive cars were experiencing “sticker shock” at the resulting higher car-tab fees. At issue was a for-

mula for valuating the cars—a formula imposed by the Legislature itself and in use since 1990—that sometimes exceeds Kelley Blue Book value.

Senate Republicans pounced. Bills were immediately introduced to lower the valuation formula, undermine ST3 financing and delay its implementation. Hearings were held. Press releases were issued.

This effort to politicize car tabs (again) and ignore the will of the voters was decried by the Transportation Choices Coalition of business, labor and environmental organizations. Democrats demonstrated a willingness to work with Republicans to find a solution that wouldn’t delay the project, but were rebuffed.

The GOP effort to undermine ST3 failed, but expect to see the “car tab issue” in 2017-18 campaign ads.

Responsible bidder bill passes, but other bills languish

This year, building and construction trades workers scored a legislative victory with the passage of SB 5301, which restricts employers from competing for state and local public-works contracts if they have willfully violated wage statutes in the past three years.

This common-sense bill on “responsible bidder criteria” was sponsored by Sen. Mark Miloscia (R-Federal Way) and passed with bipartisan votes—46-3 in the Senate (see Vote #2) and 63-33 in the House (see Vote #12), and was signed by Gov. Jay Inslee.

Many other building trades bills didn’t fare as well in 2017, particularly in the Republican Senate:

PREVAILING WAGE/CBAs—The Washington State Building & Construction Trades Council strongly supported HB 1674, sponsored by Rep. Timm Ormsby (D-Spokane), to establish prevailing wage rates for public construction projects using Collective Bargaining Agreements. Negotiations between business and labor representatives to set these CBA wage rates offer the most accurate, market-determined value of the work being performed. Several states have successfully utilized CBA wage rates in this way and this practice was suggested in the 2013-14 Washington

**BUILDING
TRADES**

Transportation Efficiencies Cost Study.

HB 1674 is a common-sense proposal that would ensure predictable, accurate wage rates for bidding contractors and reduce L&I’s workload administering a cumbersome survey system in its understaffed prevailing wage division. The House agreed and passed the bill on a party-line 50-48 vote (see Vote #3). The Senate Commerce, Labor & Sports Committee held a hearing on the bill, but refused to advance it.

APPRENTICESHIP UTILIZATION—HB 1849, sponsored by Rep. Mike Sells (D-Everett), would strengthen compliance with existing apprenticeship utilization standards. To promote training and family-wage job opportunities, major public construction projects in Washington are required to have 15 percent of work hours performed by apprentices. But that policy is only effective if contractors—and subcontractors—adhere to it. Only 38 percent of contractors are doing so. HB 1849 would clarify that the existing law applies to all contractors and make noncompliance one of the violations that count towards debarring a contractor from bidding on public works projects. It passed the House, 51-47, but got no vote in the Senate.

UTILITY WORKER ASSAULTS—HB 1859

(Rep. Mike Pellicciotti) would protect utility workers, who provide repair services at all hours in remote and sometimes dangerous places, by making assault against utility workers engaged in official duties an aggravating circumstance during sentencing. Strongly supported by IBEW 77, it passed the House on a bipartisan 94-4 vote, but was killed in the Senate.

ELECTRICAL LAW ENFORCEMENT—SHB 1952 (Rep. Brian Blake) would have improved enforcement of state electrical laws. It passed the House *unanimously*, 97-0, but that still wasn’t good enough to get it out of the Republican-controlled Senate.

PREVAILING WAGE RECOVERY—HB 1672 (Rep. Noel Frame) would ensure that workers are able to recover any wages owed to them despite the amount of time that it may take to get a final prevailing wage determination. That Q&A process can take a long time and even wind up in court. Meanwhile, the worker’s 3-year statute of limitations can run out. This is about basic fairness and every representative of both parties agreed as HB 1672 also passed the House *unanimously*. But—you guessed it—it was never acted upon and died in the Senate.

Who sponsored bills that never got a vote

Lots of bills that would have serious benefits or consequences for working families never get a full House or Senate vote. But you can tell who supports the good, bad and ugly bills by checking the list of sponsors and committee votes:



■ **HB 1300/SB 5527—EMPLOYEE STATUS ENFORCEMENT**—Discouraging worker misclassification to ensure more fairness for both employers and employees, and to address the state’s underground economy.

SPONSORS: Rep. Marcus Riccelli and Sen. David Frockt

CO-SPONSORS: REPS. Gregerson, Peterson, Tharinger, Macri, Ryu, Fitzgibbon, Jinkins, Goodman, Stanford, Ormsby, Santos, Bergquist, Farrell; and SENS. Chase, Keiser, Kuderer, Conway

■ **HB 1301/SB 5528—EMPLOYEE ANTI-RETALIATION**—Protecting workers from discrimination or retaliation for reporting wage violations.

SPONSORS: Rep. Cindy Ryu and Sen. Bob Hasegawa

CO-SPONSORS: REPS. McBride, Macri, Peterson, Gregerson, Goodman, Stonier, Senn, Frame, Tarleton, Jinkins, Stanford, Ormsby, Santos, Pollet, Farrell; and SENS. Keiser, Conway, Kuderer

* HB 1300 and 1301 passed the House Labor Committee. Voting YES: Sells, Gregerson, Doglio, and Frame. Voting NO: Manweller, McCabe, Pike.

■ **HB 1486—WASHINGTON WAGE RECOVERY ACT**—Allowing workers to file liens against their employers for unpaid wages.

SPONSORS: Rep. Mia Gregerson

CO-SPONSORS: REPS. Ryu, Peterson, Orwall, Sells, Stonier, Dolan, Frame, Chapman, Goodman, Macri, Cody, Appleton, Tarleton, Ormsby, Bergquist, Hudgins, Doglio, Stanford

■ **HB 1646—CLEAN ENERGY TRANSITION ACT**—Enacting a comprehensive climate solution that invests in 21st century infrastructure and delivers economic and environmental justice to communities disproportionately impacted by poverty and pollution.

SPONSORS: Rep. Joe Fitzgibbon

CO-SPONSORS: REPS. Appleton, Fey, Goodman, McBride, Cody, Macri, Doglio, Pollet, Jinkins

■ **HB 2145—AEROSPACE TAX ACCOUNTABILITY**—Would have tied the state’s multi-billion aerospace tax incentives to job creation and maintenance.

SPONSOR: Rep. Noel Frame

CO-SPONSORS: REPS. Robinson, Farrell, Jinkins, Santos, Doglio, Macri, Dolan, Bergquist, Sells, Pollet, Sawyer, Wylie, Ryu, Appleton, Chapman, Gregerson, Cody, Kirby, Stonier, Riccelli, Fitzgibbon, Kloba, Peterson, Fey, Slatter, Tharinger, Stanford, Ortiz-Self, Orwall

■ **HB 2146—AEROSPACE TAX ACCOUNTABILITY**—Similar to HB 2145 but delays any assessment until 2024.

SPONSOR: Rep. Richard DeBolt

CO-SPONSORS: Rep. Condotta



■ **HB 1435—WEAKENING PLUMBING STANDARDS**—Adopting the International Plumbing Code, a far weaker standard than the existing building code.

SPONSOR: Rep. Vincent Buys

CO-SPONSORS: Reps. Pike, Springer

■ **HB 1575/SB 5362—EXEMPTING APP-BASED DRIVERS**—Exempting employees of transportation network companies (Uber, Lyft, etc.) from unemployment insurance.

SPONSOR: Rep. Eric Pettigrew and Sen. John Braun

CO-SPONSORS: REPS. Manweller, Springer; and SENS. Mullet, Baumgartner, Liias, Rossi

■ **SB 5541—SUB-MINIMUM WAGE FOR TEENS**—Allowing employers to pay 85 percent of the minimum wage to 16- and 17-year-olds.

SPONSOR: Sen. Michael Baumgartner

CO-SPONSORS: none

* SB 5541 passed the Senate Labor Committee. Voting YES: Baumgartner, Braun, King, Rossi, and Wilson. Voting NO: Keiser, Conway, Hasegawa, Saldaña.


■ **SB 5550—OUTSOURCING PUBLIC SERVICES**—Authorizing state agencies and higher education institutions to contract out for services.

SPONSOR: Sen. Dino Rossi


CO-SPONSORS: Sens. Baumgartner, Bailey, Braun, Brown, Honeyford, Wilson, Becker, Angel

* SB 5550 passed the Senate Labor Committee. Voting YES: Baumgartner, Braun,

WSLC Legislative Lobbying Conference



*We call it the WSLC Legislative **Lobbying** Conference for a reason. An important part of the annual event is for union members to meet with their legislators and discuss labor-supported legislation. At left, IBEW 73 members and others from the 3rd Legislative District meet with Sen. Andy Billig (D-Spokane). Below, a conference panel discussion included (from left) Sen. Karen Keiser, Andi Smith of the Governor’s Office, Lynne Dodson, Sen. Rebecca Saldaña, Jeff Johnson, and Rep. Roger Goodman.*



King, Rossi, and Wilson. Voting NO: Keiser, Conway, Hasegawa, Saldaña.

■ **SB 5914—UNION DUES TAX**—Allowing state and local governments to charge a 5% “administration fee” for union dues deduction.

SPONSOR: Sen. John Braun

CO-SPONSORS: none

* SB 5914 passed the Senate Ways & Means Committee. Voting YES: Braun, Brown, Rossi, Honeyford, Bailey, Becker, Fain, Padden, Rivers, Schoesler, Warnick, Zeiger. Voting NO: Ranker, Rolfes, Frockt, Billig, Carlyle, Conway, Darneille, Hasegawa, Keiser, Miloscia, Pedersen.



■ **SB 5009—CRIMINALIZING PROTEST**—Allows protesters to be prosecuted for “economic disruption” and makes

them liable for up to three times the “economic damages.”

SPONSOR: Sen. Doug Ericksen

CO-SPONSORS: Sen. Sheldon

■ **SB 5168—PROHIBITS PROJECT LABOR AGREEMENTS**—Prohibits PLAs on public construction projects.

SPONSOR: Sen. Doug Ericksen

CO-SPONSORS: Sen. Sheldon

■ **SB 5174—SUING UNIONS INTO SUBMISSION**—Allowing the state or individuals to sue unions for “unfair or deceptive acts.”

SPONSOR: Sen. Jan Angel

CO-SPONSORS: Sen. Baumgartner, Honeyford, Padden

* SB 5174 passed the Senate Labor Committee. Voting YES: Baumgartner, Braun, King, Rossi, and Wilson. Voting NO: Keiser, Conway, Hasegawa, Saldaña.

■ **SB 5692—RIGHT TO WORK**—Making Washington a so-called “Right-to-Work” state.

SPONSOR: Sen. Michael Baumgartner

CO-SPONSORS: Sen. Braun

■ **SB 5822—DECONSTRUCTING WORKERS’ COMPENSATION**—Weakening the safety net for injured workers by enacting a collection of benefit cuts and eligibility restrictions.

SPONSOR: Sen. Michael Baumgartner

CO-SPONSORS: Sen. Braun, Rossi, Sheldon, Angel, Becker, Wilson, Schoesler, Bailey, Ericksen, Warnick, King, Honeyford, Brown, Padden, Short, Fain, O’Ban, Hawkins, Zeiger, Rivers

* SB 5822 passed the Senate Labor Committee. Voting YES: Baumgartner, Braun, King, Rossi, and Wilson. Voting NO: Keiser, Conway, Hasegawa, Saldaña.

Senate GOP leaders are anti-labor extremists

In the Senate, there are 24 Republicans, 24 Democrats, and one guy who calls himself a Democrat but meets and votes with the Republicans. Given that fragile majority, it may come as a surprise that Republicans have chosen to appoint two of their most hostile anti-union members into positions of power.

Sens. Michael Baumgartner (R-Spokane) and John Braun (R-Centralia) were the sole sponsors of 2017 legislation to make Washington a “Right-to-Work” state (SB 5692). It’s a bill that’s occasionally been introduced by the most fringe extremists in the caucus and promptly ignored to avoid any backlash against the party. But this year, as Chair and Vice Chair of the Commerce, Labor & Sports Committee, Baumgartner and Braun held a hearing on their bill, drawing hundreds of angry workers to Olympia.

As Chair, Baumgartner has consistently blocked House-approved bills supported by labor from consideration in the Senate. Each session, he also sponsors bills that have no chance of passage but are clearly meant to antagonize labor. This year, he wrote several to gut the state minimum wage/sick leave law overwhelmingly approved by voters last fall.

Braun is also Chair of the powerful Ways and Means Committee. As the GOP’s lead budget negotiator, Braun engaged in the three-session game of budget chicken and cynically used the state employee contracts as a bargaining chip.

These guys, who added “Sports” to the labor committee’s name this year, are making sport of antagonizing unions. They both hail from safe Republican districts, but they are doing real harm to their party’s standing among unions and working people across the state.

SENATE

- 1** SSB 5607 (Braun)—**Changing education funding.**
Right vote: NO (Passed 25-24 on 2/1, see Page 1)
- 2** SSB 5301 (Miloscia)—**Responsible bidder criteria.**
Right vote: YES (Passed 46-3 on 2/23, Page 3)
- 3** ESB 5720 (Hawkins)—**Production-based wages on farms.** Right vote: NO (Passed 28-18 on 3/3, Page 7)
- 4** SSB 5339 (O'Ban)—**Religious objectors to unions.**
Right vote: NO (Passed 25-24 on 3/7, Page 8)

● — “Right” vote ○ — “Wrong” vote **E** — Excused **A** — Absent (Democrats are listed in **bold**.)

- 5** ESSB 5620 (King)—**Transportation network companies**. Right vote: NO (Passed 34-15 on 3/7, Page 7)
 - 6** SSB 5362 (Braun)—**Transportation network companies/unemployment exemption**. Right vote: NO (Passed 31-18 on 3/7, Page 7)
 - 7** SSB 5233 (Mullet)—**Interpreter/translator status**. Right vote: NO (Passed 30-18 on 3/8)
 - 8** ESSB 5048 (Braun)—**Senate operating budget** that failed to fully fund schools and state employee contracts. Right vote: NO (Passed 25-24 on 3/24, Page 1)
 - 9** ESSB 5893 (O'Ban)—**Undermining ST3 funding**. Right vote: NO (Passed 25-24 on 4/6, Page 3)
 - 10** ESHB 1714 (Cody)—**Hospital nursing staffing**. Right vote: YES (Passed 42-7 on 4/11, Page 6)
 - 11** SHB 1234 (Robinson)—**Contraceptive coverage**/allowing 12-month refills. Right vote: YES (Passed 48-1 on 4/12, Page 6)
 - 12** SSB 5975 (Fain)—**Paid family and medical leave program**. Right vote: YES (Passed 37-12 on 6/30, Page 6)

Senator	Dis.	1	2	3	4	5	6	7	8	9	10	11	12	2017 %	LIFE-TIME
Angel	26	○●○○	○	○	○	○	○	○	○	○	○	○●○○		17	18
Bailey	10	○●○○	○	○	○	○	○	○	○	○	○	○●○○		25	13
Baumgartner	6	○○○○	○	○	○	○	○	○	○	○	○	○●○○		17	12
Becker	2	○●○○	○	○	○	○	○	○	○	○	○	○●○○		33	15
Billig	3	●●●●	●	●	●	○	○	○	○	●	●	●	●	92	98
Braun	20	○●○○	○	○	○	○	○	○	○	○	○	○●○○		33	12
Brown	8	○●○○	○	○	○	○	○	○	○	○	○	○●○○		17	10
Carlyle	36	●●E●	●	●	E	●	●	●	●	●	●	●	●	100	75
Chase	32	●●●●	●	●	●	○	○	○	○	●	●	●	●	92	98
Cleveland	49	●●●●	●	●	●	○	○	○	○	●	●	●	●	92	96
Conway	29	●●●●	●	●	●	●	●	●	●	●	●	●	●	100	100
Darneille	27	●●●●	●	●	●	○	○	○	○	●	●	●	●	92	91
Ericksen	42	○●○○	○	○	○	○	○	○	○	○	○	○●○○		25	16
Fain	47	○●○○	○	○	○	○	○	○	○	○	○	○●○○		33	20
Fortunato	31	○●○○	○	○	○	○	○	○	○	○	○	○●○○		33	33
Froctt	46	●●E●	●	●	E	●	●	●	●	●	●	●	●	100	91

													2017	LIFE-	
Senator	Dis.	1	2	3	4	5	6	7	8	9	10	11	12	%	TIME
Hasegawa	11	●	●	●	●	●	●	●	●	●	●	●	●	100	99
Hawkins	12	○	●	○	○	○	○	○	○	○	●	●	○	25	19
Hobbs	44	●	●	○	●	○	○	○	●	●	●	●	●	67	64
Honeyford	15	○	●	○	○	○	○	○	○	○	○	○	○	17	8
Hunt	22	●	●	●	●	●	●	●	●	●	●	●	●	100	98
Keiser	33	●	●	●	●	●	●	●	●	●	●	●	●	100	95
King	14	○	●	○	○	○	○	○	○	○	●	●	●	33	17
Kuderer	48	●	●	●	●	●	●	●	●	●	●	●	●	100	100
Lias	21	●	●	●	●	●	○	○	○	●	●	●	●	96	95
McCoy	38	●	●	●	●	●	●	●	●	●	●	●	●	100	94
Miloscia	30	○	●	○	○	○	○	○	○	○	●	●	●	33	81
Mullet	5	●	●	○	●	○	○	○	○	●	●	●	●	67	69
Nelson	34	●	●	●	●	●	●	●	●	●	●	●	●	100	98
O'Ban	28	○	●	○	○	○	○	○	○	○	●	●	●	33	22
Padden	4	○	●	○	○	○	○	○	○	○	●	○	○	17	8
Palumbo	1	●	●	●	●	○	○	E	○	●	●	●	●	82	82

Senator	Dis.	1	2	3	4	5	6	7	8	9	10	11	12	2017 %	LIFE-TIME
Pearson	39	○	●	○	○	○	○	○	○	○	●	●	○	25	17
Pedersen	43	●	●	●	●	●	●	●	●	●	●	●	●	100	82
Ranker	40	●	●	E	●	●	●	●	●	●	●	●	●	100	95
Rivers	18	○	●	○	○	○	○	○	○	○	●	●	●	33	18
Rolfes	23	●	●	●	●	●	●	●	●	●	●	●	●	100	91
Rossi	45	○	○	○	○	○	○	○	○	○	●	●	○	17	7
Saldaña	23	●	●	●	●	●	●	●	●	●	●	●	●	100	100
Schoesler	9	○	●	○	○	○	○	○	○	○	○	●	●	25	12
Sheldon	35	○	●	○	○	○	○	○	○	○	●	●	○	25	27
Short	7	○	○	○	○	○	○	○	○	○	○	●	○	8	12
Takko	19	●	●	○	●	○	○	○	●	●	●	●	●	67	79
Van De Wege	24	●	●	●	●	●	●	●	●	●	●	●	●	100	89
Walsh	16	○	●	○	○	○	○	○	○	○	○	●	●	33	29
Warrick	13	○	●	○	○	○	○	○	○	○	○	●	●	25	12
Wellman	41	●	●	●	●	●	○	○	●	●	●	●	●	92	92
Wilson	17	○	●	○	○	○	○	○	○	○	○	●	●	25	18
Zeiger	25	○	●	○	○	○	○	○	○	○	○	●	●	33	36

HOUSE

- 1** ESHB 1843 (Sullivan)—**Basic education program**
fully funding schools and ending over-reliance on local
levies. Right vote: YES (Passed 52-45 on 2/22, see Page 1)
- 2** HB 1800 (Gregerson)—**Washington Voting Rights**
Act. Right vote: YES (Passed 51-46 on 2/27, Page 1)
- 3** HB 1674 (Ormsby)—**Setting prevailing wage stan-**
dards based on Collective Bargaining Agreements.
Right vote: YES (Passed 50-48 on 3/1, Page 3)

- 4** SHB 1234 (Robinson)—**Contraceptive coverage.**
Right vote: YES (Passed 93-5 on 3/1, Page 6)
- 5** SHB 1723 (Haler)—**Hanford workers' compensation.** Right vote: YES (Passed 69-29 on 3/2, Page 7)
- 6** EHB 1237 (Sells)—Bargaining for **higher wages at community and technical college.** Right vote: YES (Passed 65-32 on 3/3, Page 6)
- 7** E2SHB 1783 (Holy)—**Legal Financial Obligations.**
Right vote: YES (Passed 91-7 on 3/2, Page 6)
- 8** SHB 1541 (Robinson)—**Rx drug cost transparency.**
Right vote: YES (Passed 52-46 on 3/6, Page 6)

- 9** ESHB 1714 (Cody)—**Hospital nursing staffing.**
Right vote: YES (Passed 61-36 on 3/7, Page 6)
- 10** EHB 1506 (Senn)—**Equal Pay Opportunity Act.**
Right vote: YES (Passed 61-36 on 3/8, Page 6)
- 11** ESSB 5048—**House operating budget** that fully funded schools and state employee contracts. Right vote: YES (Passed 50-48 on 3/31, Page 1)
- 12** SSB 5301 (Miloscia)—**Responsible bidder criteria.** Right vote: YES (Passed 63-33 on 4/7, Page 3)
- 13** SSB 5975 (Fain)—**Paid family and medical leave.**
Right vote: YES (Passed 65-29 on 6/30, Page 1)

Representative	Dis.	1	2	3	4	5	6	7	8	9	10	11	12	13	2017 %	LIFE-TIME
Appleton	23	●	●	●	●	●	●	●	●	●	●	●	●	●	100	99
Barkis	2	○	○	○	●	●	●	●	○	●	○	○	○	○	38	28
Bergquist	11	●	●	●	●	●	●	●	●	●	●	●	●	●	100	100
Blake	19	●	●	●	●	●	●	●	●	●	●	●	●	●	100	91
Buy's	42	○	○	○	●	●	○	○	●	○	○	○	○	○	23	13
Caldier	26	○	○	○	●	○	●	○	○	○	○	○	○	○	38	29
Chandler	15	○	○	○	○	○	E	●	○	○	○	○	○	○	8	10
Chapman	24	●	●	●	●	●	●	●	●	●	●	●	●	●	100	100
Chopp	43	●	●	●	●	●	●	●	●	●	●	●	●	●	100	91
Clibborn	41	●	●	●	●	●	●	●	●	●	●	●	●	●	100	83
Cody	34	●	●	●	●	●	●	●	●	●	●	●	●	●	100	96
Condotta	12	○	○	○	●	○	○	○	○	○	○	○	○	○	15	13
DeBolt	20	○	○	○	●	○	○	○	○	○	○	○	○	○	15	15
Dent	13	○	○	○	●	○	○	○	○	○	○	○	○	○	23	15
Doglio	22	●	●	●	●	●	●	●	●	●	●	●	●	●	100	100
Dolan	22	●	●	●	●	●	●	●	●	●	●	●	●	●	100	100
Dye	9	○	○	○	●	○	○	○	○	○	○	○	○	○	23	15
Farrell*	46	●	●	●	●	●	●	●	●	●	●	●	●	--	100	100
Fey	27	●	●	●	●	●	●	●	●	●	●	●	●	●	100	100
Fitzgibbon	34	●	●	●	●	●	●	●	●	●	●	●	●	●	100	99
Frame	36	●	●	●	●	●	●	●	●	●	●	●	●	●	100	100
Goodman	45	●	●	●	●	●	●	●	●	●	●	●	●	●	100	97
Graves	5	○	○	○	●	○	○	○	○	○	○	○	○	○	54	54
Gregerson	33	●	●	●	●	●	●	●	●	●	●	●	●	●	100	98
Griffey	35	○	○	○	●	●	●	○	○	○	○	○	○	○	31	18
Haler	8	●	●	○	○	●	●	○	○	○	○	○	○	○	62	27
Hansen	23	●	●	●	●	●	●	●	●	●	●	●	●	●	100	99
Hargrove	47	○	○	○	●	○	○	○	○	○	○	○	○	○	15	14
Harmsworth	44	○	○	○	●	●	○	○	○	○	○	○	○	○	23	21
Harris	17	○	○	○	●	○	○	○	○	○	○	○	○	○	31	28
Hayes	10	○	○	○	●	○	○	○	○	○	○	○	○	E	25	23
Holy	6	○	○	○	●	○	○	○	○	○	○	○	○	E	25	19
Hudgins	11	●	●	●	●	●	●	●	●	●	●	●	●	●	100	95
Irwin	31	○	○	○	●	●	○	○	○	○	○	○	○	○	38	38

															2017	LIFE-
Representative	Dis.	1	2	3	4	5	6	7	8	9	10	11	12	13	%	TIME
Jenkin	16	○	○	○	●	●	○	○	○	○	○	○	○	○	15	15
Jenkins	27	●	●	●	●	●	●	●	●	●	●	●	●	●	100	91
Johnson	14	○	○	○	●	●	○	○	○	○	○	○	○	○	31	18
Kagi	32	●	●	●	●	●	●	●	●	●	●	●	●	●	100	90
Kilduff	28	●	●	●	●	●	●	●	●	●	●	●	●	●	100	100
Kirby	29	●	●	●	●	●	●	●	●	●	●	●	●	●	100	98
Klippert	8	○	○	○	○	○	○	○	○	○	○	○	○	○	0	10
Kloba	1	●	●	●	●	●	●	●	●	●	●	●	●	●	100	100
Koster	39	○	○	○	●	○	○	●	○	○	○	○	○	○	15	5
Kraft	17	○	○	○	●	●	○	●	○	○	●	○	○	○	31	31
Kretz	7	○	○	○	●	○	○	●	○	○	○	○	○	○	15	13
Kristiansen	39	○	○	○	●	○	○	●	●	○	○	○	○	○	23	12
Lovick	44	●	●	●	●	●	●	●	●	●	●	●	●	●	100	95
Lytton	40	●	●	●	●	●	●	●	●	●	●	●	●	●	100	99
MacEwan	35	○	○	○	●	●	●	●	○	○	○	○	○	●	38	23
Macri	43	●	●	●	●	●	●	●	●	●	●	●	●	●	100	100
Manweller	13	○	○	○	●	○	○	●	○	○	○	○	○	●	31	21
Maycumber	7	○	○	○	●	○	○	●	○	○	○	○	○	○	15	15
McBride	48	●	●	●	●	●	●	●	●	●	●	●	●	●	100	100
McCabe	14	○	○	○	●	●	○	○	○	○	○	○	○	●	31	26
McCaslin	4	○	○	○	○	○	○	○	●	○	○	○	○	○	15	12
McDonald	25	○	○	○	●	●	○	○	○	○	○	○	●	●	38	28
Morris	40	●	●	●	●	●	●	●	●	●	●	●	●	E	100	82
Muri	28	●	○	○	●	●	○	○	○	○	○	○	●	●	69	41
Nealey	16	○	○	○	●	●	○	○	○	○	○	○	○	○	31	15
Orcutt	20	○	○	○	●	○	○	○	○	○	○	○	○	○	15	13
Ormsby	3	●	●	●	●	●	●	●	●	●	●	●	●	●	100	99
Ortiz-Self	21	●	●	●	●	●	●	●	●	●	●	●	●	●	100	100
Orwall	33	●	●	●	●	●	●	●	●	●	●	●	●	●	100	96
Pellicciotti	30	●	●	●	●	●	●	●	●	●	●	●	●	●	100	100
Peterson	21	●	○	○	○	○	○	○	○	○	○	○	○	○	100	100
Pettigrew	37	●	●	●	●	●	●	●	●	●	●	●	●	●	100	90
Pike	18	○	○	○	●	○	○	○	○	○	○	○	○	○	15	11
Pollet	46	●	●	●	●	●	●	●	●	●	●	●	E	●	100	100

[illegible]

Farrell resigned on May 31 and was replaced by Valdez.

I-1433 set stage for family leave win

In the midst of a session that demonstrated just how dysfunctional a divided Legislature can be, one amazing thing happened. Washington state passed a paid family and medical disability leave bill that is a model for the nation, and brings us a little closer to the rest of the industrialized world.

Beginning in 2020, working people will be able to take paid time off for the birth or adoption of a child, to take care of an ill family member, when a family member is deployed or wounded in the military, or for their own serious health condition. The new law is progressive in several ways. Twelve weeks of leave generally (with up to 18 weeks in some cases), wages replaced at 90 percent for lower-wage jobs, and employers pay a larger share of the premium than employees. The House voted 65-29 (see Vote #13) and Senate voted 37-12 (Vote #12) to pass SB 5975, and Gov. Jay Inslee signed it into law.

The law was negotiated with labor, community organizations, business, and legislators from both sides of the aisle. But the table was set last year when we passed Initiative 1433, raising the minimum wage and providing paid sick leave. We knew that paid family and medical leave are popular policies, and so did



Secretary
Treasurer's Column
Lynne Dodson

the business community. The specter of an initiative led by labor and community organizations to secure paid family leave motivated business groups to come to the table to help shape the policy. The leverage we had during the negotiations and in securing passage was profound. We learned from I-1433 that when the Legislature fails to pass policies that benefit working people, we can do so through the initiative process.

We can be proud of the Washington Work and Family Coalition led by Marilyn Watkins of the Economic Opportunity Institute and including the WSLC, UFCW 21, SEIU 1199NW, Teamsters 117, Mom's Rising, and Legal Voice. Democratic legislators who have long worked for paid leave and business leaders who knew this was their opportunity to influence policy before an initiative, partnered with moderate Republican senators and representatives to push recalcitrant GOP caucus leaders. The result is a huge victory for working people.

The contrast between a difficult, but productive, negotiation for paid family and medical leave and most of the rest of the legislative session is profound. Funding education to satisfy the state Supreme Court's *McCleary* decision needed to be a priority. In the end,

more money was approved for K-12 education, but the final budget still fell short on fully funding *McCleary*.

Other education priorities also failed in the divided Legislature. The governor and House Democrats proposed additional funding for the Labor Education and Research Center in their budgets, but Republicans refused. While dozens of well-funded business schools exist, our state's one labor program is now funded at half the level it was six years ago. Anti-union legislators know the power of labor education, and without additional support, the LERCs capacity is limited.

Our divided Legislature doesn't work. Republicans' willingness to shut the state down shows little regard for what public service means. They believe government—which is all of us, and them!—is a bad thing so they undermine it and try to make it ineffective.

We need to elect people to our State Legislature who care about working people and care about small businesses struggling to grow. That means working in our communities to identify and elect pro-worker candidates. In the short term, we have an opportunity to change the dynamics in the State Senate in 2017. The 45th District race needs to be a statewide effort. It's up to us to make sure our members know which candidates, like Manka Dhingra, want the state's economy and public services to work for all of us.

Keeping up the pressure



From start to finish of the nearly six-month 2017 legislation session(s), the Washington Education Association kept up the pressure on legislators to fully fund basic education. Here, an estimated 6,500 public school educators, parents, students and supporters rallied at the State Capitol on Jan. 16.

Progress on nurse staffing

Progress was made in 2017 on the issue of patient safety at hospitals where nursing staffs are stretched too thin. HB 1714, sponsored by Rep. Eileen Cody (D-Seattle), ensures that staffing committees are a stronger entity within hospitals and requires that the adopted staffing plan actually be implemented. If hospital management fails to do so, nurses will now have a remedy to hold them accountable. HB 1714 passed the House 42-7 (Vote #9), the Senate 61-36 (Vote #10), and was signed into law.

HB 1715 by Rep. Marcus Riccelli (D-Spokane), requiring that nurses get uninterrupted meal and rest breaks, passed the House 55-42 but died (again) in the Senate.

■ **Rail Safety**—HB 1105 (Rep. Derek Stanford) was approved and signed into law this year. It will strengthen railroad safety standards for workers, equipment and surrounding communities, and ensure proper insurance coverage among railroad companies and contractors. It passed the House 97-0, the Senate 46-2, and was signed by the Gov. Jay Inslee.

■ **Equal Pay Opportunity Act**—HB 1506 (Rep. Tana Senn), addresses income disparities, employer discrimination and retaliation practices. The bill amends the state's Equal Pay Act—not updated since its passage in 1943—by prohibiting pay secrecy policies, allowing discussion of wages, and prohibiting retaliation for asking for equal pay. It passed the House 61-36 (Vote #10) but never got a Senate vote.

■ **Faculty collective bargaining**—HB 1237 (Rep. Mike Sells) allows full-scope collective bargaining so colleges can use local funds in negotiating faculty/staff wages. The House passed it 65-32, but it was blocked in the Senate Commerce, Labor & Sports Committee.

■ **Legal Financial Obligations**—HB 1783 (Rep. Jeff Holy) takes common-sense steps to mitigate the accumulation of LFOs, the court fees and fines charged to criminal defendants, and prioritizes victims' restitution. This bipartisan bill passed the House 91-7 (Vote #7) but died in the Senate.

BILLS IN BRIEF

This Washington works to expand health care

By KATHARINE WEISS

Amid threats from the Republican Congress and Trump administration to repeal the Affordable Care Act, the Washington State Labor Council, AFL-CIO and the Healthy Washington Coalition continued to prioritize affordable, accessible health coverage for all Washingtonians. The coalition made important headway in improving the health-care landscape during the 2017 session. Those legislative gains included:

Expanding the Washington State Health Insurance Pool—WSHIP is an independent program that provides coverage for individuals who have been denied insurance based on pre-existing conditions. This is critical for making sure that the most vulnerable have access to affordable coverage. It is also a significant cost-control tool. The program relies on funding from the Legislature and was set to expire at the end of 2017. Currently, 1,500 Washingtonians receive coverage as a result of the WSHIP program. SHB 1338, sponsored by Rep. Eileen Cody (D-Seattle), extended the expiration date for WSHIP funding to 2022. The bill guarantees that individuals ineligible for Medicare or those that do not have access to a reasonable choice of Medicare plans can maintain coverage. It easily passed both houses and was signed by Gov. Jay Inslee.

Expanded Access to Contraceptive Coverage—HB 1234 from Rep. June Robinson (D-Everett) and

HB 5554 from Sen. Steve Hobbs (D-Lake Stevens) require private insurance companies to dispense up to 12 months of birth control at a time to patients. Thanks to the tenacious work of the sponsors, Planned Parenthood, and the Healthy Washington Coalition, this bill successfully passed both chambers (see Senate Vote #11 and House Vote #4), a vital step in increasing reproductive health access for women.

Prescription Drug Transparency—Over the past 10 years consumers have watched prescription drug prices skyrocket. Between 2013 and 2015, Washington State Health Care Authority's drug spending increased by 45 percent, from \$798 million to \$1.2 billion. This explains why a recent Kaiser Health News Poll showed that 86 percent of Americans support legislation that would require drug companies to release information on how they set prices.

HB 1541, sponsored by Rep. Robinson, set out to provide much-needed transparency and accountability from drug companies about how they price their products. It required drug manufacturers to report on price increases and their impact on health premiums. It would have been a critical step towards helping identify and control the major cost drivers of prescription drugs. HB 1541 passed the House on a party-line vote (see Vote #8), but died in the Senate Health Care Committee.

The WSLC will remain vigilant in our efforts to protect and improve upon the Affordable Care Act's progress in expanding access to affordable health care coverage.

Who gets represented in rural communities?

Some Republicans are working hard to keep their constituents' wages low

By ERIC GONZALEZ

Republicans offered a series of attacks on working families this session, some that impact the rural workforce in towns, cities and counties they represent.

The rural economy is critically important to the health of our state's economy. Washington state produces \$10.7 billion in commodities per year. Apples make up 22%, or \$2.4 billion, of that but also think potatoes, wheat, sweet cherries, grapes, hops, and more. Despite the tremendous amount of wealth created in this industry, the Employment Security Department reports that the average annual salary of crop workers is less than \$23,000, below the poverty line for a family of four.

Federal laws exacerbate this income inequality. Agricultural workers are exempt from the overtime pay and other protections of the National Labor Relations Act. Put simply, there are systemic inequities that continue to oppress and discriminate against people of color and low-wage agricultural workers.

So what happens when a court rules that farmworkers were unfairly denied pay, or when voters raise the state minimum wage? Some legislators sent from rural areas to represent those workers do their best to take away those gains.

SB 5720, sponsored by Sen. Brad Hawkins (R-East Wenatchee), set out to deny agricultural workers their right to recover in court the full amount on their unpaid wages, including miscalculated rest break compensation. It would also allow employers to avoid responsibility for payment of wages for work performed outside production, such as attending meetings, waiting for equipment to get repaired or replaced, or traveling between worksites.

Our state's agricultural industry depends on a healthy and willing workforce, but big employers like Stemilt Growers, Kershaw Companies, and Auvil Fruit Company, along with the Washington Tree Fruit Association, actively



supported SB 5720. This bill is unfair to workers and their families, and drives wages even lower. A version of this bill passed the Senate 28-18 (see Vote #3) but rightfully died in the House.

Sen. Michael Baumgartner (R-Spokane) introduced SB 5530 to delay implementation of Initiative 1433 by two years in all counties except King County. I-1433, approved by nearly 60 percent of voters in 2016, raises the minimum wage to \$13.50 by 2020 and allows all workers to earn some paid sick and safe leave, which is important both to working families and to public health. But apparently, Baumgartner believes his own constituents should get lower wages and less sick leave than the people of King County. (It's worth noting that, even if you threw out every vote that was cast in King County, I-1433 would still have passed.)

Other examples of rural legislators taking a shot at their own constituents in 2017 were:

- Rep. Cary Condotta (R-East Wenatchee) sponsored HB 2065 to regionalize the state minimum wage and have a lower one in "nonurban" areas (like his), and to block cities and counties from setting higher wage standards.

- Rep. Brad Klippert (R-Kennewick) wrote HB 1724, helpfully titled "Reducing the minimum wage." It finds that voters made a mistake by raising it too high, so he aimed to cut it. Plus, he wanted a sub-minimum wage for teenagers.

All of these bills failed, but the message is clear: when some GOP legislators claim to represent the interests of the rural economy, they don't mean the people who live there.

Business gets its wish list on workers' comp

Every year, business groups in Olympia seek benefit cuts and eligibility restrictions for Washington's safety net for injured workers and their families—and 2017 was no exception.

SB 5822, sponsored by Sen. Michael Baumgartner (R-Spokane), was a wish list of workers' compensation erosions sought by corporate lobbyists.

It proposed:

- Allowing employers and the Department of Labor and Industries to lower claim costs by "scooping up" non-economic damages awarded to injured workers. This would overturn the Supreme Court's *Tobin v. L&I* decision finding this practice to be illegal.

- Prohibiting workers from getting benefits for occupational disease if those diseases could be contracted through the normal course of living. Sheet metal workers, for example, would be denied treatment for arthritis or carpal tunnel due to the possibility of having developed it otherwise, despite medical evidence showing the relationship to work.

- Imposing impossible time frames for filing a claim. Reducing the filing window from two years to one and starting that clock ticking sooner. Whether or not the occupational nature of the disease was known has no bearing. If a worker is given cough syrup from a doctor for a sore throat, their throat cancer treatment 18 months later would be denied.

- Expanding structured lump-sum settlements to younger workers. Employers could negotiate "compromise and release" deals to buy off injured workers as young as 18, who can't reasonably be expected to know their financial needs until retirement.

- Allowing self-insured businesses to drag out claim approval process from the current 14 days to 60—and, in some cases, 120—days. While workers are allowed to initially collect benefits, they must pay them all back if the claim is ultimately denied.

- Removing important L&I oversight of self-insured employers.

SB 5822 advanced from the Commerce, Labor & Sports Committee chaired by its sponsor, but failed to have enough support for a full Senate vote.

Uber, Lyft shouldn't get a license to exploit

Some call Uber, Lyft, and other so-called gig-economy jobs "the future of work." If that's true, it's important to make sure that these companies compete on a level playing field with existing companies. They shouldn't be allowed to profit and expand simply by exempting themselves from workplace standards that apply to all of their competitors and by exploiting their employees.

SB 5620, sponsored by Sen. Curtis King (R-Yakima), would create a new

statewide regulatory program for Transportation Network Companies (TNCs) like Uber, Lyft, etc. that is strongly opposed by Teamsters 117 and other advocates for drivers. Among its offenses, this bill would repeal protections that cities and counties have already enacted for TNC drivers and preempt these local jurisdictions from adopting standards in the future. It passed the Senate 34-15 (Vote #5) but died in the House Labor and Workplace Standards Committee

chaired by Rep. Mike Sells (D-Everett).

SB 5362, sponsored by Sen. John Braun (R-Centralia) would create a special exemption for TNCs so they do not have to provide unemployment insurance coverage for their drivers. It too passed the Senate 31-18 (Vote #6), but died in Rep. Sells' committee.

These companies must compete based on the quality and efficiency of their services, not their ability to sidestep worker protections.

No safety net for workers at nation's most dangerous worksite

Effort to help sick Hanford workers get their benefits blocked by Senate

By NICKOLAS BUMPAOUS

In 1943, the federal government brought 50,000 people to the Hanford Nuclear Reservation in the Tri-Cities to manufacture plutonium for the world's first atomic bombs. Forty seven years later in 1990, Hanford's mission shifted from nuclear materials production to environmental clean-up of the most contaminated worksite in the western world. It is estimated that cleaning up Hanford's 56 million gallons of toxic radioactive waste stored in underground tanks will take at least another 50 years. So Hanford workers will continue to be exposed to some of the most hazardous substances known to man, including many chemical and radiological hazards that are still unidentified.

When exposed to these substances, the burden of proof is on workers to connect their exposure to their disease to qualify for workers' compensation benefits. The inability to categorize or quantify these exposures is a nearly insurmountable obstacle for these workers and their families if they become too sick to work.

In 2014, with the resumption of tank remediation work, vapor exposures requiring workers to get medical evaluations were on the increase. The resulting outcry led the U.S. Department of Energy to commission an independent report that produced numerous critical findings and 47 separate recommendations, most of which Hanford is still trying to implement. Among those findings: "The (issue) causing the vast majority of reported worker exposures requiring medical treatment comprise short-term and acute (bolus) exposures, which cause immediate symptoms in the workers and may or may not develop into medical signs of chemical exposure. The current program is not designed to detect and is incapable of detecting and quantifying this type of transient exposure event."

Among other things, the report recommended that adopting a "presumption of work-relatedness is consistent with Occupational Safety and Health Administration guidance. Previous medical determinations should be revisited based on a more thorough understanding of the uses and limitations of the monitoring data."

This year, Rep. Larry Haler (R-Richland) spon-



Rep. Larry Haler

sored HB 1723 to enact this recommendation of occupational illness presumption for Hanford workers. With the support of Reps. Marcus Riccelli (D-Spokane), Mike Sells (D-Everett), Mia Gregerson (D-SeaTac), Timm Ormsby (D-Spokane), Beth Doglio (D-Olympia) and Gerry Pollet (D-Seattle), SHB 1723 passed the House on a strong bipartisan 69-29 vote (see House Vote #5).

Unfortunately, despite having no fiscal impact to the state, this important bill to protect workers and their families died in the Senate Commerce, Labor & Sports Committee chaired by Sen. Michael Baumgartner (R-Spokane).

Hanford's story began with a national mission for the benefit and protection of this great country. Our selfless Nuclear Veterans continue that mission to this day, protecting our lands, our rivers, and our air. Our State Legislature must find its moral compass and come to the aid of these proud citizens and their families who we are currently failing to protect.

This is an abbreviated version of Nick's report. See the full report at www.TheStand.org.

HANDS OFF OUR UNION!



On short notice, over 1,000 union members turned out in the rain for Senate Republicans' Right-to-Work hearing.

Senate GOP's Right-to-Work bill draws fire

In the end, more than 1,100 people signed in opposed to SB 5692. Just one person supported it.

More than 1,000 union members and supporters, most of them members of building and construction trades unions from around the state, swarmed the State Capitol on Feb. 8 to voice their objection to SB 5692, Republican legislation to make Washington a so-called "Right-to-Work" state.

SB 5692, sponsored by Sens. Michael Baumgartner (R-Spokane) and John Braun (R-Centralia) was heard in the Senate Commerce, Labor & Sports Committee chaired by Baumgartner.



The hearing and overflow rooms set up to accommodate the crowds were all full, so hundreds more protested in different buildings and outside in the rain — with M.L. King County Labor Council leader Nicole Grant leading chants of "Hands Off Our Union!" — while many visited their legislators' offices to object to anti-union Right-to-Work legislation.

The bill would deny unions and employers in Washington state the freedom to negotiate union-security clauses in contracts. Such a ban is intended to stop union members from paying for representation because they can get it, and the benefits of the contract, for free. The goal is to weaken unions and lower wages and that is exactly what happens in states that

enact such laws.

"Right to Work never has and doesn't now have anything to do with creating or protecting jobs," said WSLC President Jeff Johnson in his testimony on the bill. "Its purpose is to curb the power of workers and their unions at the bargaining table and in the Legislature."

"(Right to Work) doesn't belong in this state and all of our unions, including building trades unions, are going to stand up strong against it," said Lee Newgent, Executive Secretary of the Washington Building Trades. "It doesn't belong in Washington state now or ever."

SB 5692 died without a vote.

Billionaires vs. bargaining

Senate hears right-wing bills attacking unions of public employees

It's no secret that right-wing billionaires like the Koch brothers bankroll foundations that are targeting unions for extinction. Millions of those dollars have found their way into Washington state at "think tanks" like the Freedom Foundation and the Washington Policy Center.

So in 2017, the thinkin' fellers from these groups showed up in Olympia to testify in favor of a series of Senate bills with familiar attacks on public employee unions and the freedom to negotiate for better wages and benefits.

■ SB 5533, sponsored by two-time failed gubernatorial candidate Sen. Dino Rossi (R-Sammamish), prohibits state employee unions from contributing to incumbent candidates for governor. This bill—which would never affect Rossi for multiple reasons—died without a vote.

■ SB 5551 (also from Sen. Rossi) would require state employees to vote on reauthorizing their union every four years. It also died without a vote.

■ SB 5550 (Rossi again) would open a number of services at state agencies and institutions of higher education to contracting out and privatization. It died.

■ SB 5339, sponsored by Sen. Steve "Not Rossi" O'Ban (R-University Place), would let public employees who are "religious objectors" to unionization choose from an expanded list of charities for donating their dues equivalent. That list would now include quasi-political groups like... the Freedom Foundation! It passed the Senate 25-24 (see Vote #4) before dying in the House.

The Senate Commerce, Labor and Sports Committee chaired by Sen. Michael Baumgartner (R-Spokane) held a hearing on these bills on a snowy morning in February. Testifying against the bills were public workers like Washington Federation of State Employees member Bing Bistol, who had gotten up that morning at 4 a.m. to shovel snow as part of the Department of Enterprise Services grounds crew. His job, the type being targeted for outsourcing, was to keep people—like the tassel-toed right-wing think-tankers visiting the State Capitol that day to try to eliminate his job—safe from slipping on the sidewalks. (Sigh.)

Voting Rights Act

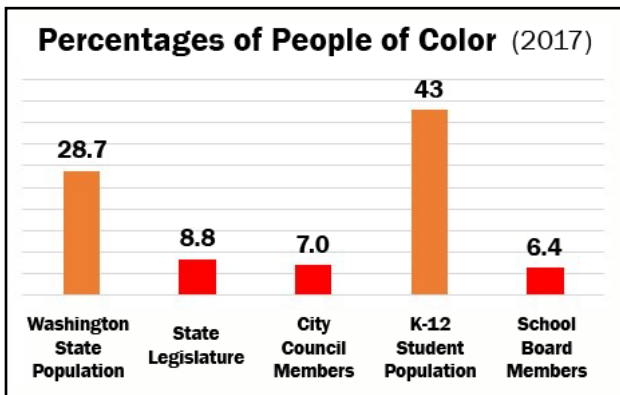
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prosperity. In such systems, there is little incentive for elected officials to advocate for the needs of the minority bloc.

These antiquated, discriminatory local election systems are one of the reasons that people of color are underrepresented at every level of local government across Washington state. That representation gap has real impact—communities lack access to local decision-makers who know and understand their interests and concerns.

In recent years, municipalities across the state with such election systems have been sued in federal court for violating provisions of the federal Voting Rights Act of 1965.

In Yakima, an all-white conservative city council fought tooth-and-nail against a federal lawsuit that found its election system, which had classic signs of polarized voting, had suppressed the Latino vote that makes up 40 percent of the population. The decision to fight that lawsuit rather



than change the election system cost Yakima taxpayers nearly \$3 million in legal fees. In the end, the city was forced to reform its system to create districts and the change was transformative. For the first time in the history of the city, not just one but three Latina women were elected to the city council. These new leaders have advocated for inclusive policies around public safety, access to community centers and neighborhood parks, infrastructure, and economic development in their communities that had gone ignored under the previous leadership.

Washington must step up its commitment to voter

enfranchisement. Provisions of the federal Voting Rights Act have been under attack. In 2013, the U.S. Supreme Court removed a requirement that states obtain approval from the Department of Justice to change voting procedures. Without the provision, state governments were quick to implement discriminatory Voter ID laws and reduced the number of polling places where communities of color live, among other undemocratic policies.

By empowering local jurisdictions to fix the problem, HB 1800, the real Washington Voting Rights Act, is designed to lower costs for local governments and taxpayers. Municipalities that make meaningful changes would be protected from future lawsuits. It is the product of years of stakeholder input and bipartisan collaboration to put voters front and center. As they have repeatedly killed this legislation, Republicans have promoted another version of the legislation that fails to achieve those goals.

When election systems are set up to ignore entire communities, that isn't representation, it isn't democratic, it isn't fair, and it runs counter to the freedoms that are afforded to us as citizens of this nation.

We all lose.