

~~set-aside-such-part-of-his-stock-as-may-be-necessary-for-the-conduct  
of-such-interstate-business)) those articles to which stamps have been  
properly affixed by a wholesaler or another retailer may be retained  
by any retailer, and that those articles intended for sale to quali-  
fied purchasers may be retained by federal instrumentalities and Ind-  
ian tribal organizations, without affixing the stamps required by this  
chapter. ((Such-interstate-stock-shall-be-kept-separate-and-apart  
from-stamped-stock,--PROVIDED-FURTHER,--That-every-retailer-shall,--at-  
the-time-of-shipping-or-delivering-any-of-the-articles-taxed-herein  
to-a-point-outside-of-this-state,--make-a-true-duplicate-invoice-of  
the-same-which-shall-show-full-and-complete-details-of-the-interstate  
sale-or-delivery,--and-shall-transmit-said-true-duplicate-invoice-to  
the-main-office-of-the-commission,--at-Olympia,--not-later-than-the-fif-  
teenth-day-of-the-following-calendar-month,--and-for-failure-to-comply  
with-the-requirements-of-this-proviso-the-commission-may-revoke-the  
permission-granted-to-the-taxpayer-to-maintain-an-interstate-stock-of  
goods-to-which-the-stamps-required-by-this-chapter-have-not-been-af-  
fixed-))~~

Passed the House March 14, 1969.

Passed the Senate April 30, 1969.

Approved by the Governor May 8, 1969.

Filed in office of Secretary of State May 8, 1969.

CHAPTER 215

[Engrossed House Bill No. 486]

PUBLIC EMPLOYEES COLLECTIVE BARGAINING--  
UNFAIR LABOR PRACTICES--INTERIM COMMITTEE

AN ACT Relating to public employees collective bargaining, and unfair labor practices; adding new sections to chapter 108, Laws of 1967 ex. sess., and to chapter 41.56 RCW; adding a new section to chapter 1, Laws of 1961 and to chapter 41.06 RCW; adding a new section to chapter ..., Laws of 1969 (HB 239); and making an appropriation.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. Section 1. There is added to chapter 108, Laws of 1967 ex. sess. and to chapter 41.56 RCW a new section to read as follows:

It shall be an unfair labor practice for a public employer:

- (1) To interfere with, restrain, or coerce public employees in the exercise of their rights guaranteed by this chapter;
- (2) To control, dominate or interfere with a bargaining representative;
- (3) To discriminate against a public employee who has filed an unfair labor practice charge;
- (4) To refuse to engage in collective bargaining.

NEW SECTION. Sec. 2. There is added to chapter 108, Laws of 1967 ex. sess. and to chapter 41.56 RCW a new section to read as follows:

It shall be an unfair labor practice for a bargaining representative:

- (1) To interfere with, restrain, or coerce public employees in the exercise of their rights guaranteed by this chapter;
- (2) To induce the public employer to commit an unfair labor practice;
- (3) To discriminate against a public employee who has filed an unfair labor practice charge;
- (4) To refuse to engage in collective bargaining.

NEW SECTION. Sec. 3. There is added to chapter 108, Laws of 1967 ex. sess. and to chapter 41.56 RCW a new section to read as follows:

The department is empowered and directed to prevent any unfair labor practice and to issue appropriate remedial orders. This power shall not be affected or impaired by any means of adjustment, mediation or conciliation in labor disputes that have been or may hereafter be established by law.

NEW SECTION. Sec. 4. There is added to chapter 108, Laws of 1967 ex. sess. and to chapter 41.56 RCW a new section to read as follows:

Whenever a charge has been made concerning any unfair labor practice, the department shall have power to issue and cause to be served a complaint stating the charges in that respect, and contain-

ing a notice of hearing before the department at a place therein fixed to be held not less than seven days after the serving of said complaint. Any such complaint may be amended by the department any time prior to the issuance of an order based thereon. The person so complained of shall have the right to file an answer to the original or amended complaint within five days after the service of such original or amended complaint and to appear in person or otherwise to give testimony at the place and time set in the complaint. In the discretion of the department, any other person may be allowed to intervene in the said proceedings and to present testimony. In any such proceeding the department shall not be bound by technical rules of evidence prevailing in the courts of law or equity.

NEW SECTION. Sec. 5. There is added to chapter 108, Laws of 1967 ex. sess. and to chapter 41.56 RCW a new section to read as follows:

For the purpose of all hearings and investigations, which, in the opinion of the department, are necessary and proper for the exercise of the powers vested in it by this act, the department shall at all reasonable times have access to, for the purposes of examination, and the right to examine, copy or photograph any evidence, including payrolls or list of employees, of any person being investigated or proceeded against that relates to any matter under investigation or in question. The department shall have power to issue subpoenas requiring the attendance and testimony of witnesses and the production of any evidence that relates to any matter under investigation or in question before the department. The department, or any agent, or agency designated by the department for such purposes, may administer oaths and affirmations, examine witnesses, and receive evidence.

NEW SECTION. Sec. 6. There is added to chapter 108, Laws of 1967 ex. sess. and to chapter 41.56 RCW a new section to read as follows:

The department, or any party to the department proceedings, thirty days after the department has entered its findings of fact,

shall have power to petition the superior court of the state within the county wherein the unfair labor practice in question occurred or wherein any person charged with the unfair labor practice resides or transacts business, or if such court be on vacation or in recess, then to the superior court of any county adjoining the county wherein the unfair labor practice in question occurred or wherein any person charged with the unfair labor practice resides or transacts business, for the enforcement of such order and for appropriate temporary relief or restraining order, and shall certify and file in the court a transcript of the entire record in the proceeding, including the pleadings and testimony upon which such order was made and the findings and order of the department. Upon such filing, the court shall cause notice thereof to be served upon such person, and thereupon shall have jurisdiction of the proceeding and of the question determined therein, and shall have power to grant such temporary relief or restraining order as it deems just and proper, and to make and enter upon the pleadings, testimony, and proceedings set forth in such transcript a decree enforcing, modifying, and enforcing as so modified, or setting aside in whole or in part the order of the department.

NEW SECTION. Sec. 7. There is hereby created a committee to study the public employees collective bargaining act as provided in chapter 41.56 RCW. As used in this act unless the context indicates otherwise the term "committee" shall mean the interim committee on public employees collective bargaining.

NEW SECTION. Sec. 8. The committee shall have the following membership:

(1) Two senators to be appointed by the president of the senate, not more than one from the same political party, and two representatives to be appointed by the speaker of the house, not more than one from the same political party;

(2) Three representatives of public employees as "public employees" is defined in RCW 41.56.030 to be appointed by the

governor; and .

(3). Three representatives of public employers as "public employers" is defined in RCW 41.56.030 to be appointed by the governor

In addition, the department of labor and industries shall cooperate with the committee and maintain a liaison representative, who shall be a nonvoting member.

NEW SECTION. Sec. 9. The committee, by majority vote, shall select from among the members a chairman and such other officers as the committee shall deem appropriate. The committee, by majority vote, may prescribe rules of procedure for itself, may from time to time establish ad hoc committees, and may take such other action as it shall deem appropriate to accomplish its purposes.

The legislative members of the committee shall serve as liaison members to the legislative council. The staff of the legislative council shall serve as the staff of the committee and shall provide such clerical, research and other assistance as the committee shall deem appropriate to accomplish its purposes.

NEW SECTION. Sec. 10. The members of the committee shall receive no compensation but shall be reimbursed for their expenses while attending meetings of the committee in the same manner as legislators engaged in interim committee business as in RCW 44.04.120. Payment of expenses shall be made by vouchers approved in the same manner as other expenses of the legislative council.

NEW SECTION. Sec. 11. The committee shall study the operation of chapter 108, Laws of 1967 extraordinary session, relating to public employees collective bargaining, and review the efficacy of this act or any part thereof as a means of furthering and improving management relationships within public service. The committee shall submit its report to the governor and the state legislature, with a copy to the legislative council, prior to the convening of any regular session of the legislature, or to any special session if the committee deems it appropriate. The report shall contain specific recommendations as to necessary or desirable changes, if any, in the law,

and shall also include any proposed legislation necessary to implement the recommendations of the committee.

NEW SECTION. Sec. 12. There is hereby appropriated out of the general fund to the legislative council for the biennium ending June 30, 1971, to carry out the purposes of sections 7, 8, 9, 10 and 11 of this act the sum of twenty-five thousand dollars, or so much thereof as may be necessary.

NEW SECTION. Sec. 13. There is added to chapter 1, Laws of 1961 and to chapter 41.06 RCW a new section to read as follows:

Each and every provision of sections 1 through 6 of this act shall be applicable to this chapter as it relates to state civil service employees and the state personnel board, or its designee, whose final decision shall be appealable to the state personnel board, which is granted all powers and authority granted to the department of labor and industries by sections 1 through 6 of this act.

NEW SECTION. Sec. 14. There is added to chapter ..., Laws of 1969 (HB 239) a new section to read as follows:

Each and every provision of sections 1 through 6 of this act shall be applicable to the state higher education personnel law if the same becomes law and the higher education personnel board, or its designee, whose final decision shall be appealable to the higher education personnel board, which is granted all powers and authority granted to the department of labor and industries by sections 1 through 6 of this act.

NEW SECTION. Sec. 15. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing institutions, and shall take effect immediately.

Passed the House April 10, 1969.

Passed the Senate April 30, 1969.

Approved by the Governor May 8, 1969.

Filed in office of Secretary of State May 8, 1969.