

events at such times as any such armory shall not be required for the use of units of the organized militia, without the payment of rent, but the adjutant general may require such veterans' organization to pay the cost of heating, lighting or other miscellaneous expenses incidental to such use: PROVIDED, ALSO, The adjutant general may, during an emergency, permit transient lodging of service personnel in armories: PROVIDED FURTHER, That any civilian rifle club affiliated with the National Rifle Association of America shall be permitted to use the rifle range in such armories at least one night each week under regulations prescribed by the adjutant general: PROVIDED, ALSO, That state owned armories shall be available, at the discretion of the adjutant general, for use for casual civic purposes, amateur and professional sports and theatricals upon payment of fixed rental charges and compliance with regulations of the state military department: PROVIDED, HOWEVER, That children attending primary and high schools shall have a preferential right to use said armories. The adjutant general shall cause to be prepared a schedule of rental charges for each state owned armory which may not be waived except for activities of units of the organized militia, and no state owned armory shall be rented for a term longer than that which intervenes between regularly authorized formations of units of the organized militia using such armory. The revenue derived from armory rentals shall ~~((constitute a special fund from which the state military department shall pay, or cause to be paid, expenses incident to such use or maintenance and operation of armories))~~ be paid into the state general fund. On and after July 1, 1977, the special fund known as the armory fund is abolished and all moneys remaining in such fund are hereby transferred to the state general fund.

NEW SECTION. Sec. 2. The effective date of this act shall be July 1, 1977.

Passed the House March 14, 1975.

Passed the Senate May 20, 1975.

Approved by the Governor May 29, 1975.

Filed in Office of Secretary of State May 29, 1975.

CHAPTER 122

[House Bill No. 475]

HIGHER EDUCATION PERSONNEL BOARD—RULES AND REGULATIONS—COMPENSATION PLANS—WAGE SURVEYS

AN ACT Relating to state institutions of higher education; amending section 10, chapter 36, Laws of 1969 ex. sess. as last amended by section 2, chapter 75, Laws of 1973 1st ex. sess. and RCW 28B.16.100; amending section 11, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.110; and creating a new section.

Be it enacted by the Legislature of the State of Washington:

Section 1. Section 10, chapter 36, Laws of 1969 ex. sess. as last amended by section 2, chapter 75, Laws of 1973 1st ex. sess. and RCW 28B.16.100 are each amended to read as follows:

(1) The higher education personnel board shall adopt and promulgate rules and regulations, consistent with the purposes and provisions of this chapter and with the best standards of personnel administration, regarding the basis for, and

procedures to be followed for, the dismissal, suspension, or demotion of an employee, and appeals therefrom; certification of names for vacancies, including promotions, with the number of names equal to two more names than there are vacancies to be filled, such names representing applicants rated highest on eligibility lists; examination for all positions in the competitive and noncompetitive service; appointments; probationary periods of six months and rejections therein; transfers, sick leaves and vacations; hours of work; layoffs when necessary and subsequent reemployment, both according to seniority; determination of appropriate bargaining units within any institution or related boards: **PROVIDED**, That in making such determination the board shall consider the duties, skills, and working conditions of the employees, the history of collective bargaining by the employees and their bargaining representatives, the extent of organization among the employees, and the desires of the employees; certification and decertification of exclusive bargaining representatives; after certification of an exclusive bargaining representative and upon said representative's request, the director shall hold an election among employees in a bargaining unit to determine by a majority whether to require as a condition of employment membership in the certified exclusive bargaining representative on or after the thirtieth day following the beginning of employment or the date of such election, whichever is the later, and the failure of an employee to comply with such condition of employment shall constitute cause for dismissal: **PROVIDED**, That no more often than once in each twelve month period after expiration of twelve months following the date of the original election in a bargaining unit and upon petition of thirty percent of the members of a bargaining unit the director shall hold an election to determine whether a majority wish to rescind such condition of employment: **PROVIDED FURTHER**, That for purposes of this clause membership in the certified exclusive bargaining representative shall be satisfied by the payment of monthly or other periodic dues and shall not require payment of initiation, reinstatement or any other fees or fines and shall include full and complete membership rights: **AND PROVIDED FURTHER**, That in order to safeguard the right of nonassociation of public employees, based on bona fide religious tenets or teachings of a church or religious body of which such public employee is a member, such public employee shall pay to the union, for purposes within the program of the union as designated by such employee that would be in harmony with his individual conscience, an amount of money equivalent to regular union dues minus any included monthly premiums for union-sponsored insurance programs, and such employee shall not be a member of the union but shall be entitled to all the representation rights of a union member; agreements between institutions or related boards and certified exclusive bargaining representatives providing for grievance procedures and collective negotiations on all personnel matters over which the institution or the related board may lawfully exercise discretion; written agreements may contain provisions for payroll deductions of employee organization dues upon authorization by the employee member and for the cancellation of such payroll deduction by the filing of a proper prior notice by the employee with the institution and the employee organization: **PROVIDED**, That nothing contained herein shall permit or grant to any employee the right to strike or refuse to perform his official duties; adoption and revision of comprehensive classification

plans for all positions in the classified service, based on investigation and analysis of the duties and responsibilities of each such position; allocation and reallocation of positions within the classification plan; training programs including in-service, promotional, and supervisory; regular increment increases within the series of steps for each pay grade, based on length of service for all employees whose standards of performance are such as to permit them to retain job status in the classified service; and adoption and revision of salary schedules and compensation plans which reflect not less than the prevailing rates in Washington state private industries and other governmental units for positions of a similar nature and which shall be competitive in the locality in which the institution or related boards are located, such adoption, revision, and implementation (~~shall be~~) subject to approval as to availability of funds by the director of the office of program planning and fiscal management in accordance with the provisions of chapter 43.88 RCW, and after consultation with the chief financial officer of each institution or related board for that institution or board, or in the case of community colleges, by the chief financial officer of the state board for community college education for the various community colleges; and providing for veteran's preference as provided by existing statutes, with recognition of preference in regard to layoffs and subsequent reemployment for veterans and their widows by giving such eligible veterans and their widows additional credit in computing their seniority by adding to their unbroken higher education service, as defined by the board, the veteran's service in the military not to exceed five years of such service. For the purposes of this section, "veteran" means any person who has one or more years of active military service in any branch of the armed forces of the United States or who has less than one year's service and is discharged with a disability incurred in the line of duty or is discharged at the convenience of the government and who, upon termination of such service, has received an honorable discharge, a discharge for physical reasons with an honorable record, or a release from active military service with evidence of service other than that for which an undesirable, bad conduct, or dishonorable discharge shall be given: PROVIDED, HOWEVER, That the widow of a veteran shall be entitled to the benefits of this section regardless of the veteran's length of active military service: PROVIDED FURTHER, That for the purposes of this section "veteran" shall not include any person who has voluntarily retired with twenty or more years of active military service and whose military retirement pay is in excess of five hundred dollars per month.

(2) Rules and regulations adopted and promulgated by the higher education personnel board shall provide for local administration and management by the institutions of higher education and related boards, subject to periodic audit and review by the board, of the following:

- (a) Appointment, promotion, and transfer of employees;
- (b) Dismissal, suspension, or demotion of an employee;
- (c) Examinations for all positions in the competitive and noncompetitive service;
- (d) Probationary periods of six months and rejections therein;
- (e) Sick leaves and vacations;
- (f) Hours of work;

- (g) Layoffs when necessary and subsequent reemployment;
- (h) Allocation and reallocation of positions with the classification plans;
- (i) Training programs;
- (j) Maintenance of personnel records.

Sec. 2. Section 11, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.110 are each amended to read as follows:

The salary schedules and compensation plans, adopted and revised as provided in RCW 28B.16.100 as now or hereafter amended, shall reflect not less than prevailing rates in private industries and other governmental units for positions of a similar nature in the locality in which the institution or related board is located. For this purpose periodic wage surveys shall be undertaken by the board with the assistance of the various personnel officers of the institutions of higher education, with one such survey to be conducted each year prior to the convening of each regular session of the state legislature. The results of such wage survey shall be forwarded with recommended salary adjustments, which recommendations shall be advisory only, ((with recommended salary adjustments by the institutions of higher education and related boards, through the state board for community college education acting for the various state community colleges,)) to the governor and ((state budget)) the director of the office of program planning and fiscal management for their use in preparing budgets to be submitted to the succeeding legislature.

NEW SECTION. Sec. 3. If any provision of this amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

Passed the House May 21, 1975.

Passed the Senate May 15, 1975.

Approved by the Governor May 29, 1975.

Filed in Office of Secretary of State May 29, 1975.

CHAPTER 123

[House Bill No. 480]

DEPARTMENT OF LABOR AND INDUSTRIES—PUBLICATIONS

AN ACT Relating to the department of labor and industries; and adding new sections to chapter 43.22 RCW.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Section 1. There is added to chapter 43.22 RCW a new section to read as follows:

There is hereby created within the state treasury a revolving fund to be known as the "department of labor and industries revolving fund", which shall be used by the director of the department of labor and industries to defray the costs of printing, reprinting, or distributing printed matter issued by the department of labor and industries including, but not limited to, the matters listed in section 2 of this act. The department of labor and industries may charge a fee for such publications in an amount which will reimburse the department for the costs of printing, reprinting, and distributing such publications: PROVIDED, That every