
HOUSE BILL 1608

State of Washington

67th Legislature

2022 Regular Session

By Representatives Caldier, Robertson, Abbarno, Eslick, Corry, and Barkis

Prefiled 12/07/21.

1 AN ACT Relating to identifying and removing barriers to
2 employment with the Washington state ferries; adding a new section to
3 chapter 47.64 RCW; and providing an expiration date.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 47.64
6 RCW to read as follows:

7 (1) In 2020, pursuant to a legislative proviso, the University of
8 Washington's foster school of business consulting and business
9 development center conducted an analysis of workforce development
10 needs of the state ferry system. Some of the recommendations in the
11 final report include: Aligning the state ferry's diversity, equity,
12 and inclusion workforce development strategy with the state
13 department of transportation's strategy; identifying specific
14 communities of underserved positions; and hiring a more diverse
15 workforce. In light of the state ferry's desire to hire and retain a
16 more diverse workforce, it is critical that collective bargaining
17 agreements be reviewed through the lens of diversity, equity, and
18 inclusion. Some provisions in existing collective bargaining
19 agreements may unintentionally create barriers to hiring and
20 retaining a more diverse workforce. It is necessary for such
21 provisions to be removed or amended, thereby increasing the

1 Washington state ferry's likelihood of meeting its goals of
2 increasing and diversifying its workforce.

3 (2) The governor, or the governor's designee, in consultation
4 with the office of equity and the attorney general's office, shall
5 conduct a review and analysis of the collective bargaining agreements
6 governing state ferry employees, for the purposes of identifying
7 provisions that create barriers for, or contribute to creating a
8 disparate impact on, newly hired ferry employees, including those who
9 are women, people of color, veterans, and other employees belonging
10 to communities that have historically been underrepresented in the
11 workforce. The review and analysis must include, but not be limited
12 to, provisions regarding seniority, work assignments, and work
13 shifts.

14 (3) The review and analysis must be completed prior to the date
15 negotiations for the 2023-2025 collective bargaining agreements
16 begin.

17 (4) Upon completion of the review and analysis, the governor's
18 office shall submit a report to the transportation committees of the
19 house of representatives and the senate and to the office of equity.
20 Copies of the report must be provided to the exclusive bargaining
21 representatives of ferry employees.

22 (5) The report must include a summary of findings, specific
23 provisions that have been identified in the collective bargaining
24 agreements, and specific recommendations for amending or eliminating
25 the identified provisions in furtherance of equity, diversity, and
26 inclusion, and removing barriers to increasing hiring and retention
27 of new employees.

28 (6) When negotiating new collective bargaining agreements, the
29 collective bargaining representatives for the state and ferry
30 employee organizations shall consider the findings and
31 recommendations made in the report. For future collective bargaining
32 agreements, the collective bargaining representatives for the state
33 are directed to negotiate in a manner to remove identified barriers
34 and address identified impacts such that future agreements do not
35 perpetuate negative impacts.

36 (7) The governor's office may contract with a third-party
37 consultant to conduct the review and analysis.

38 (8) Nothing in this section is intended to modify any time
39 frames, deadlines, or other requirements regarding collective

1 bargaining applicable to the state and ferry employees under this
2 chapter or chapter 41.80 RCW.

3 (9) This section expires December 31, 2028.

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