

RCW 41.56.421 Application of chapter to academic employees. (1)

In addition to the entities listed in *RCW 41.56.101, this chapter applies to employees who are enrolled in an academic program and are in a classification covered in subsection (2) of this section on any campus of Central Washington University, Eastern Washington University, Western Washington University, and The Evergreen State College.

(2)(a) For the purposes of this section, "employees" includes all employees enrolled in an academic program whose duties and responsibilities are substantially equivalent to those employees in the following classifications:

- (i) Graduate teaching assistant;
- (ii) Teaching assistant;
- (iii) Graduate staff assistant;
- (iv) Tutor, reader, and grader in all academic units and tutoring centers;
- (v) Lab assistant;
- (vi) Faculty assistant;
- (vii) Research assistant; and
- (viii) Graduate research assistant, except for those in (b) of this subsection.

(b) For the purposes of this section, "employees" does not include graduate research assistants who are performing research primarily related to their dissertation and who have incidental or no service expectations placed upon them by the university.

(3) The employees in subsection (2) of this section constitute an appropriate bargaining unit at each individual institution of higher education.

(4)(a) The scope of bargaining for employees at Central Washington University, Eastern Washington University, Western Washington University, and The Evergreen State College under this section excludes:

(i) The ability to terminate the employment of any individual if the individual is not meeting academic requirements as determined by Central Washington University, Eastern Washington University, Western Washington University, and The Evergreen State College;

(ii) The amount of tuition or fees at Central Washington University, Eastern Washington University, Western Washington University, and The Evergreen State College. However, tuition and fee remission and waiver is within the scope of bargaining;

(iii) The academic calendar of Central Washington University, Eastern Washington University, Western Washington University, and The Evergreen State College; and

(iv) The number of students to be admitted to a particular class or class section at Central Washington University, Eastern Washington University, Western Washington University, and The Evergreen State College.

(b)(i) Except as provided in (b)(ii) of this subsection, provisions of collective bargaining agreements relating to compensation must not exceed the amount or percentage established by the legislature in the appropriations act. If any compensation provision is affected by subsequent modification of the appropriations act by the legislature, both parties must immediately enter into collective bargaining for the sole purpose of arriving at a mutually agreed-upon replacement for the affected provision.

(ii) Central Washington University, Eastern Washington University, Western Washington University, and The Evergreen State

College may provide additional compensation to student employees covered by this section that exceeds that provided by the legislature. [2023 c 115 s 2. Formerly RCW 41.56.0215.]

***Reviser's note:** This RCW reference has been corrected to reflect the reorganization of chapter 41.56 RCW by 2025 c 290 s 2.

Findings—Intent—2023 c 115: "(1) The legislature acknowledges the right of student employees who provide instructional, research, and related academic services at the University of Washington and Washington State University to collectively bargain while student employees performing equivalent services at Central Washington University, Eastern Washington University, Western Washington University, and The Evergreen State College do not. The legislature further recognizes that while the titles of the student employees may differ between the six institutions of higher education, student employees at Central Washington University, Eastern Washington University, Western Washington University, and The Evergreen State College should enjoy the same collective bargaining rights as their counterparts at the University of Washington and Washington State University. The legislature therefore intends to grant bargaining rights to student employees at Central Washington University, Eastern Washington University, Western Washington University, and The Evergreen State College to the same extent such rights are granted to student employees at the University of Washington and Washington State University.

(2) The legislature intends to promote cooperative labor relations between Central Washington University, Eastern Washington University, Western Washington University, and The Evergreen State College and the employees who provide instructional, research, and related academic services, and who are enrolled as students at the university by extending collective bargaining rights under chapter 41.56 RCW and using the orderly procedures administered by the public employment relations commission. To achieve this end, the legislature intends that under chapter 41.56 RCW the university will exclusively bargain in good faith over all matters within the scope of bargaining under section 2 of this act.

(3) The legislature recognizes the importance of the shared governance practices developed at Central Washington University, Eastern Washington University, Western Washington University, and The Evergreen State College. The legislature does not intend to restrict, limit, or prohibit the exercise of the functions of the faculty in any shared governance mechanisms or practices, including the faculty senate, faculty councils, and faculty codes of Central Washington University, Eastern Washington University, Western Washington University, and The Evergreen State College; nor does the legislature intend to restrict, limit, or prohibit the exercise of the functions of the graduate and professional student association, the associated students of Central Washington University, Eastern Washington University, Western Washington University, and The Evergreen State College, or any other student organization in matters outside the scope of bargaining covered by chapter 41.56 RCW.

(4) The legislature intends that nothing in this act will restrict, limit, or prohibit Central Washington University, Eastern Washington University, Western Washington University, and The Evergreen State College from consideration of the merits, necessity, or organization of any program, activity, or service established by

Central Washington University, Eastern Washington University, Western Washington University, and The Evergreen State College including, but not limited to, any decision to establish, modify, or discontinue any such program, activity, or service. The legislature further intends that nothing in this act will restrict, limit, or prohibit Central Washington University, Eastern Washington University, Western Washington University, and The Evergreen State College from having sole discretion over admission requirements for students, criterion for the award of certificates and degrees to students, academic criterion for selection of employees covered by this act, initial appointment of students, and the content, conduct, and supervision of courses, curricula, grading requirements, and research programs.

(5) The legislature does not intend to limit the matters excluded from collective bargaining to those items specified in section 2 of this act." [2023 c 115 s 1.]

Effective date—2023 c 115: "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately [April 20, 2023]." [2023 c 115 s 3.]