

## **FAS response to persons who commented on collective bargaining rules Final – May 25, 2017**

Thank you for submitting comments as part of the Department of Finance and Administrative Services' (FAS) rulemaking process to implement the collective bargaining ordinance. FAS has heard and understands the impassioned viewpoints on issues like voting on the representation question or on a proposed collective bargaining agreement and on the privacy of personal information.

In reading the final rules, please keep in mind that FAS is limited to addressing issues within the framework set by the collective bargaining ordinance and within existing rulemaking authority. For example, FAS would not have the authority to lengthen the period of time that the parties must attempt to negotiate before requesting interest arbitration beyond the 90 days set forth in the ordinance.

Below is a summary of changes reflected in the finalized rules:

- Rules FHDR-1, FHDR-2 and FHDR-10: The 12-month period for a driver coordinator to not be subjected to more than one driver representation effort now begins when a driver coordinator transmits a driver list to the QDR requesting a list. The previous proposal would have the 12-month period begin when a QDR communicated its intent to represent drivers contracted with a particular driver coordinator. In addition, the FAS director now has discretion to set the start date of the 12-month period as the driver list due date if the driver coordinator willfully delayed transmittal to a QDR in violation of the SMC.
- Rule FHDR-3: A QDR now has 3 calendar days to notify the City and a driver coordinator of the method (either paper-based or electronic) it will use to collect statements of interest from qualifying drivers. The previous deadline proposed was 10 calendar days.
- Rules FHDR-4, FHDR-5 and FHDR-8: no substantial changes made to what was proposed on April 21, 2017.
- Rule FHDR-6: The FAS director must now prepare a written summary when a proposed collective bargaining agreement has been approved and provide a copy to the QDR and the appropriate driver coordinator. The previous proposal made such a written summary optional.
- FHDR-7: The sixth qualification that an organization must meet for its QDR designation – compliance with all applicable provisions of Seattle Municipal Code Chapter 6.310.735 and the Director's Rules – now specifically identifies the use and safeguarding of information contained in lists of qualifying drivers.
- FHDR-9: The Director now has direction to establish a new deadline(s) commensurate with the length of any delay in most cases, but may also consider whether the delay was willfully caused by a party when establishing a new deadline(s).

Please visit <http://bit.ly/DriverRepresentation> for copies of all final rules and for other information on implementation of the collective bargaining ordinance.