

RCW 49.39.005 Definitions. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Bargaining representative" means any lawful organization which represents symphony musicians in their employment relations with their employers.

(2) "Collective bargaining" means the performance of the mutual obligations of the employer and the exclusive bargaining representative to meet at reasonable times, to confer and negotiate in good faith, and to execute a written agreement with respect to grievance procedures and collective negotiations on personnel matters, including wages, hours, and working conditions, which may be peculiar to an appropriate bargaining unit of such employer, except that by such obligation neither party shall be compelled to agree to a proposal or be required to make a concession unless otherwise provided in this chapter.

(3) "Commission" means the public employment relations commission.

(4) (a) "Employer" means a symphony orchestra with a gross annual revenue of more than three hundred thousand dollars that does not meet the jurisdictional standards of the national labor relations board, and includes any person acting as an agent of an employer, directly or indirectly.

(b) In determining whether any person is acting as an "agent" of another person so as to make such other person responsible for his or her acts, the question of whether the specific acts performed were actually authorized or subsequently ratified shall not be controlling.

(5) "Executive director" means the executive director of the commission.

(6) "Labor dispute" includes any controversy concerning terms, tenure, or conditions of employment, or concerning the association of representation of persons in negotiating, fixing, maintaining, changing, or seeking to arrange terms or conditions of employment, regardless of whether the disputants stand in the proximate relation of employer and symphony musician employee. In the event of a dispute between an employer and an exclusive bargaining representative over the matters that are terms and conditions of employment, the commission shall decide which items are mandatory subjects for bargaining.

(7) "Labor organization" means an organization of any kind, or an agency or employee representation committee or plan, in which symphony musicians participate and which exists for the primary purpose of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of employment.

(8) "Person" includes one or more individuals, labor organizations, partnerships, associations, corporations, legal representatives, trustees in bankruptcy, or receivers.

(9) "Unfair labor practice" means any activity listed in RCW 49.39.120 and 49.39.130. [2010 c 6 s 1.]