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SUPERIOR COURT FOR THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF KING

SEIU 775, WPEA, SEIU LOCAL 925, SEIU
DISTRICT 1199NW, IBU, UFCW LOCAL
21, and WSNA,

Plaintiffs,

v.

STATE OF WASHINGTON, OFFICE OF
FINANCIAL MANAGEMENT, and STEVE
MCLAIN, Director of Labor Relations, in
his official capacity,

Defendant.

No. 07-2-05431-6 SEA

**DECLARATION OF LESLIE
LIDDLE IN SUPPORT OF
PLAINTIFFS' MOTION FOR
PRELIMINARY INJUNCTION**

I, Leslie Liddle, declare and state as follows:

1. I am the Executive Director of the Washington Public Employees Association, UFCW Local 365 (hereinafter "WPEA"), and am familiar with the facts set forth in this declaration. As Executive Director, I am responsible for directing the activities and staff of WPEA in all of its operations, including the negotiations of collective bargaining agreements with the State of Washington and Fort Vancouver Regional Library. I was

1 the chief negotiator for the current (2005-2007) collective bargaining agreements
2 between WPEA and the State of Washington—General Government, and State of
3 Washington—Higher Education. I was also the chief negotiator for the 2007-2009 CBAs
4 for both General Government and Higher Education presently being considered for
5 funding by the Washington State Legislature.
6

7 2. I have been employed as Executive Director of WPEA since April, 2003. Prior to
8 appointment as Executive Director, I was employed by WPEA as an Employment
9 Relations Specialist for five years. For the seventeen years prior to that, I was an
10 employee of the State of Washington at Washington State University in Pullman,
11 Washington.

12 3. WPEA is the exclusive bargaining representative for approximately 4,200
13 members of the Washington General Service classified staff employed in 25 bargaining
14 units in 10 general government state agencies; 21 bargaining units in 12 state community
15 colleges; and 1 bargaining unit at Fort Vancouver Regional Library. WPEA members
16 work in a wide variety of job classifications, including but not limited to Revenue
17 Agents, Auditors, Examiners, and Assessors; Foresters, Forest Crew Supervisors, and
18 Natural Resource Workers; Fish Biologists and other Scientific Technicians; Liquor
19 Store Managers, Liquor Enforcement Officers, and Liquor Distribution Center workers;
20 College Program Managers and Program Assistants; Library Technicians; Early Child
21 Care workers; Administrative and Professional employees; Maintenance Mechanics,
22 Groundskeepers, Custodians; and many other professions and fields.
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DECLARATION OF LESLIE LIDDLE - 2

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1 4. At present, WPEA has three collective bargaining agreements with the State of
2 Washington: a "Master Agreement" for the 25 general government bargaining units for
3 which WPEA is exclusive representative; a "Master Agreement" for the 21 higher
4 education bargaining units for which WPEA is exclusive representative; and a collective
5 bargaining agreement with Yakima Valley Community College. In addition, WPEA has
6 a collective bargaining agreement with the Fort Vancouver Regional Library.
7

8 5. Prior to the July 1, 2005 "master" collective bargaining agreements with the State
9 of Washington required by the Personnel System Reform Act of 2002, as codified in
10 Chapter 41.80 RCW, WPEA bargained and administered approximately 25 individual
11 contracts with 14 state agencies and 24 individual contracts with 16 community colleges,
12 plus 1 contract with the Fort Vancouver Regional Library.
13

14 6. The WPEA has a long and mature bargaining relationship with those state
15 agencies where WPEA is the exclusive bargaining agent for employees. WPEA has been
16 the exclusive representative for the various bargaining units since the 1960's.
17

18 7. The WPEA has a long and mature bargaining relationship with those community
19 colleges where WPEA is the exclusive bargaining agent for employees. WPEA has been
20 the exclusive representative for the various bargaining units at the various colleges since
21 the 1960's.
22

23 8. After July 1, 2005, when master collective bargaining agreement with the State of
24 Washington were required by the Personnel System Reform Act of 2002, as codified in
25 Chapter 41.80 RCW, WPEA negotiated two master agreements, one for the bargaining
26

1 units in general government agencies and one for the bargaining units in the community
2 colleges.

3 9. As required by Chapter 41.80 RCW, WPEA was required to bargain in coalition
4 with other state employee unions on the issue of health care funding only.

5 10. As of the date of this declaration, WPEA has negotiated 6 contracts under the
6 provisions of Chapter 41.80 RCW.

7 11. The parties have developed a mature and strong relationship. The parties rely on
8 mutual trust and confidence which has evolved and been established during the
9 negotiation process. The WPEA relies on the good faith and open, honest discussions of
10 the state during negotiations, and it is my belief that the state relies on the union's
11 negotiators to participate similarly.

12 12. The parties agreed on ground rules for bargaining which provided for no public
13 disclosure or public discussion on the issues being negotiated until resolution or impasse
14 is reached on all issues submitted for negotiations. The ground rules also required that no
15 proposals be placed on the parties' websites. The parties further agreed to exclude the
16 media from attending negotiation sessions. To now disclose the proposals and notes
17 would be tantamount to violating the ground rules.

18 13. WPEA includes rank and file members on each of our master agreement
19 bargaining teams. Our membership is actively and intimately involved in the
20 development of proposals. Disclosure of the proposals and the bargaining notes would
21 act to intimidate and dissuade rank and file members from participating in negotiations,
22 thereby interfering with the bargaining rights of employees and undermining to the core
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1 the very essence of the labor relations process. I believe disclosing bargaining notes
2 would chill our members' participation. People do not want to see what they disclosed in
3 negotiations end up on the front page of the Seattle P-I newspaper.

4 14. It is my belief that if the state were to disclose the bargaining proposals and notes
5 related to negotiations, the WPEA would lose faith in the state's ability to negotiate
6 issues and enter into tentative agreements without fear of the details becoming subject to
7 public analysis and scrutiny. It is my further belief that disclosure of the proposals and
8 notes would negatively impact the bargaining relationship between the parties and
9 severely jeopardize the state's ability to engage in good faith negotiations.

10 15. It is essential to the bargaining process for the parties to be able to initially and
11 continually exchange ideas and suggest solutions throughout the bargaining process. It is
12 my belief that if the public were allowed to access the proposals and bargaining notes that
13 non-party entities might politicize the process and hinder the nature of bargaining. The
14 proposals and notes made during the bargaining process should be maintained in a
15 confidential manner, which serves the public's interest by assuring expeditious, fair and
16 reasonable bargaining. The public interest would not be served by importing non-parties
17 into the bargaining process by releasing proposals and bargaining notes, which I believe
18 would have a very chilling effect on the entire bargaining process.

19 20 21 22 23 24 25 26
16. The state's negotiators are fully aware and cognizant that agreement may not be
reached on all issues or proposals submitted during negotiations, that the negotiations
may never address some of the proposals, and that proposals may provide insight as to
the direction of the union's negotiating strategies for future contracts.

DECLARATION OF LESLIE LIDDLE - 5

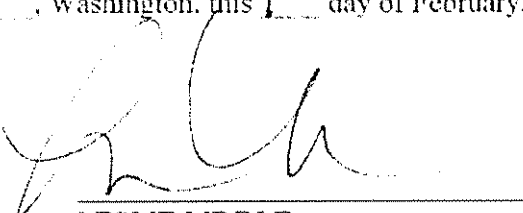
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17 Maintaining the confidentiality of communications during the bargaining process
does not preclude public scrutiny. The master agreements reached are made available on
the state's Labor Relations Office webpage and must be presented to and funded by the
state legislature. The public has ample opportunity to review the complete agreements
and comment on them in public testimony before the legislature.

I certify under the penalty of perjury under the laws of the State of Washington
that the foregoing is true and correct

Signed in Olympia, Washington, this 9th day of February, 2007.



LESLIE LIDDLE