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Amalgamated Transit Union Local No. 1576 v. Snohomish County Public Transp. Ben. Area

Court of Appeals of Washington, Division 1 - December 23, 2013 - P.3d - 2013 WL 6761984

Unions representing transit employees and nonvoting member of community transit agency board of directors who had been selected by unions brought declaratory judgment action against community transit agency, seeking declaration that provision of transit agency's bylaws, prohibiting nonvoting board member from attending any board executive session held to discuss personnel matters, was void. Parties filed cross-motions for summary judgment. The Superior Court granted summary judgment in favor of transit agency. Plaintiffs appealed.

The Court of Appeals held that:

- Plaintiffs had standing to bring action under Uniform Declaratory Judgments Act (UDJA) seeking invalidation of contested provision of transit agency's bylaws;
- Provision of transit agency's bylaws prohibiting nonvoting transit agency board member from attending any executive session of board pertaining to personnel matters conflicted with state statute and was therefore void; and
- Provision of state statute granting chair of board of directors of transit agency discretion to exclude nonvoting board member from attending executive sessions of board did not violate equal protection clause.

Provision of community transit agency's bylaws prohibiting nonvoting member of transit agency board of directors, who was selected by transit employees union, from participating in any closed executive session of transit agency board pertaining to personnel matters irreconcilably conflicted with provision of state statute granting chair of transit agency board the discretion to exclude the nonvoting board member from any closed executive session not pertaining to labor negotiations, thus rendering the bylaw invalid. State law granted chair of transit agency board the authority and discretion to exclude nonvoting board member from attending executive sessions held for purpose of discussing personnel matters, but challenged bylaw eliminated any such exercise of authority by the chair.