



2026.14

RESOLUTION IN SUPPORT OF RESTORING UNIONS' STANDING TO REPRESENT THEIR MEMBERS IN COURT

WHEREAS, all workers must have the fundamental right to be represented by a union; and,

WHEREAS, in order to advocate effectively for their members, unions must have access to a full range of forums, including the courts, to advance and defend their members' rights; and,

WHEREAS, in a major victory for home health and hospice nurses, Yakima County Superior Court awarded damages of \$2.985 million to home care nurses at Yakima Regional Medical and Cardiac Center for work done off the clock and missed meal breaks; and,

WHEREAS, the Court awarded twice the amount of back pay that the nurses were denied because the employer acted "knowingly, willfully, and with the intent to deprive" nurses of pay for their hours worked and their missed meal breaks; and,

WHEREAS, on appeal, the Washington Supreme Court, in Washington State Nurses Association (WSNA) v. Yakima HMA, LLC, 469 P.3d 300 (Wash. 2020), dramatically limited unions' associational standing to sue on behalf of members in wage theft cases where the employer falsified or failed to maintain accurate payroll records (which is most wage theft cases); and,

WHEREAS, in that case, the Court ruled by a 5-4 majority that the union lacked associational standing to sue for damages owed for unpaid working hours, unpaid overtime hours, and missed meal periods, reversing prior trial court rulings in favor of the union and its members and overturning the \$2.985 million judgment WSNA secured for the nurses; and,

WHEREAS, the precedent set by this ruling adversely impacts the ability of all Washington unions to advocate for their members; now therefore be it,

RESOLVED, that our Washington State Labor Council, AFL-CIO calls for legislative action to reverse this infringement on workers' rights; and be it finally,

RESOLVED, that our WSLC determines that enactment of legislation to ensure unions' associational standing to advocate for their members in court shall be a priority of its 2027 legislative agenda.