

JAN 25 2006

A BILL FOR AN ACT

RELATING TO COLLECTIVE BARGAINING FOR EMPLOYEES IN NEW CENTURY
CHARTER SCHOOLS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 89, Hawaii Revised Statutes, is amended
2 by adding a new section to be appropriately designated and to
3 read as follows:

4 "§89- Collective bargaining for employees in new century
5 charter schools; assignment of employees to an appropriate
6 bargaining unit; determination of employer for the purpose of
7 negotiation; determination of exclusive representative for the
8 purpose of negotiation. (a) The employees of new century
9 charter schools shall be assigned to an appropriate bargaining
10 unit as specified in section 89-6; provided that if a new
11 century charter school employee's job description contains the
12 duties and responsibilities of an employee that could be
13 assigned to more than one bargaining unit, the duties and
14 responsibilities that are performed by the employee for the
15 majority of the time, based on the employee's average workweek,
16 shall be the basis of bargaining unit assignment for the
17 employee.



1 (b) For the purpose of negotiating a collective bargaining
2 agreement for new century charter schools employees who are
3 assigned to an appropriate bargaining unit, the employer shall
4 be determined as provided in section 89-6(d).

5 (c) For the purpose of negotiating a memorandum of
6 agreement or a supplemental agreement that only applies to
7 employees of a new century charter school, the employer shall
8 mean the local school board, subject to the conditions and
9 requirements contained in the applicable sections of this
10 chapter governing any memorandum of agreement or supplemental
11 agreement.

12 (d) Pursuant to this chapter, the exclusive representative
13 shall mean the employee organization certified by the Hawaii
14 labor relations board as the collective bargaining agent to
15 represent all employees in an appropriate bargaining unit
16 without discrimination and without regard to employee
17 organization membership.

18 (e) Negotiations over matters covered by this section
19 shall be conducted between the employer and exclusive
20 representative pursuant to this chapter. Cost items that are
21 appropriated for and approved by the legislature and contained
22 in a collective bargaining agreement, memorandum of agreement,



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1 or supplemental agreement covering, wholly or partially,
 2 employees in new century charter schools shall be allocated by
 3 the department of budget and finance to the charter school
 4 administrative office for distribution to charter schools.
 5 However, if the charter school administrative office deems it
 6 appropriate, the cost items may be funded from a new century
 7 charter school's existing allocation or other sources of revenue
 8 received by a new century charter school."

9 SECTION 2. New statutory material is underscored.

10 SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY:

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Report Title:

Collective Bargaining; New Century Charter Schools

Description:

Assigns new century charter school employees to public sector bargaining units. Establishes collective bargaining process for new century charter school employees.

