

Honolulu, Hawaii

MAR 16 2006

RE: H.B. No. 2609
H.D. 1
S.D. 1

Honorable Robert Bunda
President of the Senate
Twenty-Third State Legislature
Regular Session of 2006
State of Hawaii

Sir:

Your Committees on Labor and Education and Military Affairs,
to which was referred H.B. No. 2609, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING FOR
EMPLOYEES IN NEW CENTURY CHARTER SCHOOLS,"

beg leave to report as follows:

The purpose of this measure is to establish a collective
bargaining process for new century charter school employees.

Specifically, this measure:

- (1) Assigns employees of a new century charter school to an appropriate bargaining unit;
- (2) Establishes the employer for the purposes of negotiating collective bargaining agreements for employees of new century charter schools;
- (3) Designates the local school board as the authority to negotiate memoranda of agreement or supplemental agreements for new century charter school employees;
- (4) Establishes that the employee organization certified by the Hawaii labor relations board shall be the exclusive representative for all employees in an appropriate bargaining unit; and



- (5) Determines that cost items appropriated for new century charter school employees shall be allocated by the department of budget and finance to the charter school administrative office for distribution to the schools.

Testimony in support of this measure was submitted by the Board of Education; Charter School Administrative Office; the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and the Hawaii State Teachers Association. Testimony in opposition to this measure was submitted by the Governor's Administration and the Office of Collective Bargaining.

Your Committees find that the unique nature of charter schools necessitates the full utilization of personnel, often resulting in many employees performing the duties of multiple positions. Due to their size and limited resources, charter schools are often faced with challenges unlike those of their public school counterparts. Your Committees believe that the enactment of laws to address collective bargaining negotiations specific to charter school employees is needed to protect the rights of these employees. Clarification in the law will allow the new century charter school employees to be properly represented and have their rights appropriately safeguarded.

Accordingly, your Committees have amended this measure by:

- (1) Clarifying the language of subsection (c) to ensure that new century charter schools have flexibility in negotiating an agreement that fits their particular needs; and
- (2) Changing the effective date of the Act to be effective upon its approval.

As affirmed by the records of votes of the members of your Committees on Labor and Education and Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2609, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2609, H.D. 1, S.D. 1, and be referred to the Committee on Ways and Means.



Respectfully submitted on
behalf of the members of the
Committees on Labor and
Education and Military Affairs,



NORMAN SAKAMOTO, Chair

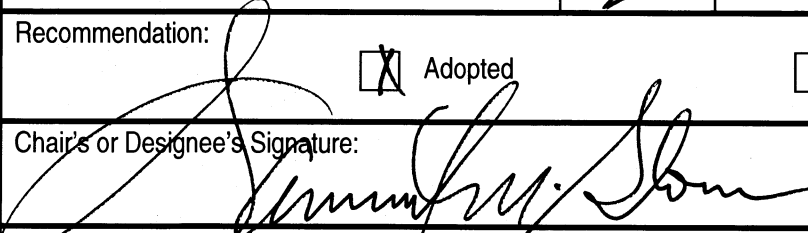


BRIAN KANNO, Chair



The Senate
Twenty-Third Legislature
State of Hawaii

Record of Votes of the
Committee on Labor
(Bills and Resolutions)

Measure:*	Committee Referral:	Date:		
HB 2609 HD1	LBR/EDM, WAM	3/13/06		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is to:				
<input type="checkbox"/> Pass, unamended (2312)	<input checked="" type="checkbox"/> Pass, with amendments (2311)	<input type="checkbox"/> Hold (2310)		
<input type="checkbox"/> Recommit (2313)				
Members	Ayes	Ayes(WR)	Nays	Excused
KANNO, Brian (C)	X			
IHARA, Jr., Les (VC)				X
TANIGUCHI, Brian T.	X			
SLOM, Sam			X	
TOTAL	2	0	1	1
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original	Yellow	Pink	Goldenrod	
File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy	

*Do not list more than one measure per Record of Votes.

