
A BILL FOR AN ACT

RELATING TO COLLECTIVE BARGAINING.

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

1 SECTION 1. The purpose of this Act is to require every
2 collective bargaining agreement between a public employer and
3 public employees to have a four-year term.

4 SECTION 2. Section 89-10, Hawaii Revised Statutes, is
5 amended by amending subsections (b) and (c) to read as follows:

6 "(b) All cost items shall be subject to appropriations in
7 the relevant fiscal years by the appropriate legislative bodies.
8 The employer shall submit within ten days of the date on which
9 the agreement is ratified by the employees concerned all cost
10 items contained therein to the appropriate legislative bodies,
11 except that if any cost items require appropriation by the state
12 legislature and it is not in session at the time, the cost items
13 shall be submitted for inclusion in the governor's next
14 operating budget within ten days after the date on which the
15 agreement is ratified.

16 The state legislature or the legislative bodies of the
17 counties acting in concert, as the case may be, may approve or
18 reject the cost items submitted to them, as a whole. If the



1 state legislature or the legislative body of any county rejects
2 any of the cost items submitted to them, all cost items
3 submitted shall be returned to the parties for further
4 bargaining.

5 (c) Because effective and orderly operations of government
6 are essential to the public, it is declared to be in the public
7 interest that [~~in the course of collective bargaining, the~~
8 ~~public employer and the exclusive representative for each~~
9 ~~bargaining unit shall by mutual agreement include provisions in~~
10 ~~the] every collective bargaining agreement [~~for that bargaining~~
11 ~~unit for] negotiated under this chapter shall be for a four-year
12 term, with an expiration date [~~which will be on] of June 30th of
13 an odd-numbered year.~~~~~~

14 The parties may include provisions for reopening during the
15 term of a collective bargaining agreement; provided that cost
16 items as defined in section 89-2 shall be subject to the
17 requirements of this section."

18 SECTION 3. This Act shall first apply to every collective
19 bargaining agreement, the term of which commences on July 1,
20 2011. Every such agreement shall expire on June 30, 2015. With
21 respect to a collective bargaining agreement, the term of which
22 commences on July 1, 2009, it shall expire on June 30, 2011.



1 SECTION 4. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 5. This Act shall take effect upon its approval.

4

INTRODUCED BY:

Calvin Ky. Day

JAN 26 2009



Report Title:

Collective Bargaining Agreements; Four-Year Terms

Description:

Requires every collective bargaining agreement between a public employer and public employees to have a 4-year term.

