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## A BILL FOR AN ACT

RELATING TO LABOR.

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

1           SECTION 1. Chapter 377, Hawaii Revised Statutes, is  
2 amended by adding two new sections to be appropriately  
3 designated and to read as follows:  
4           "§377- Streamlining union certification. When an  
5 employee, group of employees, or any individual or labor  
6 organization acting on their behalf, files a petition alleging  
7 that a majority of employees in a unit appropriate for the  
8 purposes of collective bargaining wish to be represented by an  
9 individual or labor organization for those purposes, the board  
10 shall investigate the petition. If the board finds that a  
11 majority of the employees in a unit appropriate for bargaining  
12 have signed valid authorizations designating the individual or  
13 labor organization specified in the petition as their bargaining  
14 representative and that no other individual or labor  
15 organization is currently certified or recognized as the  
16 exclusive representative of any of the employees in the unit,  
17 the board shall certify the individual or labor organization as  
18 the representative without directing an election.



1           §377-      Facilitating initial collective bargaining

2 agreements.   (a) Not later than ten days after receiving a  
3 written request for collective bargaining from an individual or  
4 labor organization that has been newly organized or certified as  
5 a representative, the parties shall meet and commence to bargain  
6 collectively and shall make every reasonable effort to conclude  
7 and sign a collective bargaining agreement.

8           (b) If, after the expiration of the ninety-day period  
9 beginning on the date on which bargaining commenced, or such  
10 additional period as the parties may agree upon, the parties  
11 have failed to reach an agreement, either party may notify the  
12 board of the existence of a dispute and request conciliation  
13 under section 377-3.

14           (c) If, after the expiration of the thirty-day period  
15 beginning on the date on which the request for conciliation is  
16 made under subsection (b), or such additional period as the  
17 parties may agree upon, the conciliator is not able to bring the  
18 parties to agreement by conciliation, the conciliator shall  
19 refer the dispute to an arbitration panel established in  
20 accordance with rules as may be prescribed by the board. The  
21 arbitration panel shall render a decision settling the dispute,  
22 and the decision shall be binding upon the parties for a period



1 of two years, unless amended during that period by written  
2 consent of the parties."

3 SECTION 2. New statutory material is underscored.

4 SECTION 3. This Act shall take effect on July 1, 2009.

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INTRODUCED BY:

T. Blah

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**Report Title:**

Labor Unions; Private Sector

**Description:**

Certifies entities as exclusive representatives absent an election where no other representatives are certified as the exclusive bargaining representatives. Requires immediate collective bargaining between parties once entities are certified as exclusive representatives.

