
A BILL FOR AN ACT

RELATING TO COLLECTIVE BARGAINING.

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

1 SECTION 1. Since 2004, graduate student workers at the
2 University of Hawaii have not received a salary increase, while
3 the cost of living in Honolulu has progressively risen.
4 Graduate student workers at the University of Hawaii are not
5 organized to advocate for their rights. However, other
6 universities across the United States enjoy positive working
7 relationships with graduate student unions that can advocate for
8 graduate student workers including those at New York University;
9 Columbia University; University of Michigan Ann Arbor;
10 University of Massachusetts at Amherst; University of
11 Massachusetts at Lowell; University of Massachusetts Boston;
12 University of Iowa; Wayne State University; University of
13 Kansas; Oregon State University; University of Washington;
14 Michigan State University; Temple University; University of
15 Rhode Island; University of California, Berkeley; University of
16 California, Davis; University of California, Santa Cruz;
17 University of California, Santa Barbara; University of
18 California, Riverside; University of California, Irvine;



1 University of California, Los Angeles; University of California,
2 Merced; University of Illinois at Urbana-Champaign; University
3 of Illinois at Chicago; University of Illinois Springfield;
4 Southern Illinois University; the entire California State
5 University system; Western Michigan University; Central Michigan
6 University; and other institutions of higher education.

7 At the University of Hawaii at Manoa, the total number of
8 graduate students is estimated to be five thousand eight hundred
9 and twenty-three per cent of those students have graduate
10 student on-campus employment.

11 Disparities exist between actual salaries and benefits
12 provided to graduate student workers at the University of Hawaii
13 at Manoa and comparable institutions. At the University of
14 Oregon, the low salary point for graduate student academic
15 workers is just under \$11,800 compared to the University of
16 Hawaii at Manoa at just under \$12,800. However, a major
17 difference exists between these two communities: the cost of
18 living. The cost of living in Oregon fluctuates between twenty
19 and forty per cent lower than Honolulu. Further, the University
20 of Oregon covers one hundred per cent of the medical plan costs
21 for graduate students. At the University of Colorado, the



1 lowest graduate student academic salary is \$29,000, far
2 outpacing salaries at the University of Hawaii at Manoa.

3 Furthermore, recent budget cutbacks with a campus-wide
4 impact at the University of Hawaii at Manoa have eliminated
5 offices and administrative positions crucial to the successful
6 employment experiences of graduate students. In particular, the
7 Office of the Ombudsman at the University of Hawaii at Manoa
8 which provided an accessible grievance process for
9 troubleshooting issues related to the experience of attending
10 and working at the University of Hawaii at Manoa has been
11 eliminated.

12 At a time when enrollment is increasing each academic year,
13 the number of courses offered per term has been consistently
14 decreasing. For example, since fall 2009, enrollment has
15 steadily increased by four per cent while ten per cent of course
16 offerings have been eliminated. The budget shortfalls have also
17 forced classes to expand, meaning graduate students in academic
18 jobs have been handling almost double the size of classes and
19 labs. Specifically, a class regularly offered for sixty
20 students would have increased to one hundred twenty. The
21 workload of graduate assistants varies widely from department to
22 department, and even from supervisor to supervisor. Without a



1 dependable and accessible avenue for obtaining help with a
2 grievance, the employment practices faced by graduate assistant
3 academic workers go unattended.

4 Graduate student workers, as state employees, should have
5 the right to unionize their workforce.

6 The purpose of this Act is to take the first steps to
7 provide for the protection of graduate student workers' rights
8 and education by removing student help from the list of
9 individuals prohibited from inclusion in any appropriate
10 collective bargaining unit.

11 SECTION 2. Section 89-6, Hawaii Revised Statutes, is
12 amended by amending subsection (f) to read as follows:

13 "(f) The following individuals shall not be included in
14 any appropriate bargaining unit or be entitled to coverage under
15 this chapter:

- 16 (1) Elected or appointed [~~official~~] officials;
- 17 (2) [~~Member~~] Members of any board or commission; provided
18 that nothing in this paragraph shall prohibit a member
19 of a collective bargaining unit from serving on a
20 local school board of a charter school or the charter
21 school review panel established under chapter 302B;



- 1 (3) Top-level managerial and administrative personnel,
2 including ~~[the]~~ a department head, deputy or assistant
3 to a department head, administrative officer,
4 director, or chief of a state or county agency or
5 major division, and legal counsel;
- 6 (4) ~~[Secretary]~~ Secretaries to top-level managerial and
7 administrative personnel listed under paragraph (3);
- 8 (5) ~~[Individual]~~ Individuals concerned with confidential
9 matters affecting employee-employer relations;
- 10 (6) Part-time ~~[employee]~~ employees working less than
11 twenty hours per week, except part-time employees
12 included in unit (5);
- 13 (7) Temporary ~~[employee]~~ employees of three months'
14 duration or less;
- 15 (8) ~~[Employee]~~ Employees of the executive office of the
16 governor ~~[or a]~~ and household ~~[employee]~~ employees at
17 Washington Place;
- 18 (9) ~~[Employee]~~ Employees of the executive office of the
19 lieutenant governor;
- 20 (10) ~~[Employee]~~ Employees of the executive office of the
21 mayor;
- 22 (11) Staff of the legislative branch of the State;



1 (12) Staff of the legislative branches of the counties,
2 except employees of the clerks' offices of the
3 counties;

4 (13) Any commissioned and enlisted personnel of the Hawaii
5 national guard;

6 (14) [~~Inmate,~~] Inmates, kokua, [~~patient, ward, or student~~]
7 patients, or wards of a state institution[+], or
8 students of a state institution that are not employed
9 by the State;

10 [~~(15)~~] ~~Student help;~~

11 ~~(16)~~] (15) Staff of the Hawaii labor relations board;

12 [~~(17)~~] (16) Employees of the Hawaii national guard youth
13 challenge academy; or

14 [~~(18)~~] (17) Employees of the office of elections."

15 SECTION 3. Statutory material to be repealed is bracketed
16 and stricken. New statutory material is underscored.

17 SECTION 4. This Act shall take effect on July 1, 2012.

18

INTRODUCED BY: 

JAN 25 2012



H.B. NO. 2859

Report Title:

Collective Bargaining; University of Hawaii

Description:

Excludes student help from the list of state employees statutorily barred from inclusion in any appropriate collective bargaining unit. Effective July 1, 2012.

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