
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
9 University; Columbia University; University of Michigan Ann
10 Arbor; 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, these two
17 communities have vastly different costs of living. The cost of
18 living in Oregon fluctuates between twenty and forty per cent
19 lower than Honolulu. Additionally, the University of Oregon
20 covers one hundred per cent of the medical plan costs for
21 graduate students. At the University of Colorado, the lowest



1 graduate student academic salary is \$29,000, far outpacing
2 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. For example, a class regularly offered for sixty students
20 will have increased to one hundred twenty. The workload of
21 graduate assistants varies widely from department to department,
22 and even from supervisor to supervisor. Without a dependable and



1 accessible avenue to obtain help with a grievance, the
2 employment practices faced by graduate assistant academic
3 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, therefore, is to take the first
7 steps to provide for the protection of graduate student workers'
8 rights and education by permitting the inclusion of graduate
9 students employed by the University of Hawaii system in any
10 appropriate 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; except graduate students employed by the
11 University of Hawaii;

12 (16) Staff of the Hawaii labor relations board;

13 (17) Employees of the Hawaii national guard youth challenge
14 academy; or

15 (18) Employees of the office of elections."

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 Statutory material to be repealed is bracketed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

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



Report Title:

Collective Bargaining; University of Hawaii; Graduate Students

Description:

Removes graduate students employed by the University of Hawaii from the list of state employees statutorily barred from inclusion in an appropriate bargaining unit. Effective July 1, 2012. (HB2859 HD1)

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