

JAN 20 2012

A BILL FOR AN ACT

RELATING TO PAYROLL DEDUCTIONS.

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

1 SECTION 1. Section 40-54, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§40-54 Payroll deductions authorized.** The comptroller of
4 the State and the auditors of its political subdivisions shall,
5 if so requested in writing by any employee or officer of the
6 State or of any county, deduct from the compensation to the
7 employee or officer for the employee's [~~or officer's state or~~
8 ~~county employment membership dues,~~] group insurance premiums[~~7~~
9 ~~and contributions for other group benefit plans to any union or~~
10 ~~organization representing teachers, state, or county~~
11 ~~employees.].~~ After making [~~these deductions~~] this deduction,
12 the comptroller or auditor shall pay the money deducted to
13 [~~each~~] the organization or group insurance provider for the
14 account of the employee or officer."

15 SECTION 2. Section 89-4, Hawaii Revised Statutes, is
16 amended to read as follows:

17 "**§89-4 Payroll deductions.** [~~(a) Upon receiving from an~~
18 ~~exclusive representative a written statement specifying the~~



~~1 amount of regular dues required of its members in the
2 appropriate bargaining unit, the employer shall deduct this
3 amount from the payroll of every member employee in the
4 appropriate bargaining unit and remit the amount to the
5 exclusive representative. Additionally, the employer shall
6 deduct an amount equivalent to the regular dues from the payroll
7 of every nonmember employee in the appropriate bargaining unit,
8 and shall remit the amount to the exclusive representative;
9 provided that the deduction from the payroll of every nonmember
10 employee shall be made only for an exclusive representative
11 which provides for a procedure for determining the amount of a
12 refund to any employee who demands the return of any part of the
13 deduction which represents the employee's pro rata share of
14 expenditures made by the exclusive representative for activities
15 of a political and ideological nature unrelated to terms and
16 conditions of employment. If a nonmember employee objects to
17 the amount to be refunded, the nonmember employee may petition
18 the board for review thereof within fifteen days after notice of
19 the refund has been received. If an employee organization is no
20 longer the exclusive representative of the appropriate
21 bargaining unit, the deduction from the payroll of members and
22 nonmembers shall terminate.]~~



1 ~~[(b)]~~ (a) The employer shall, upon written authorization
 2 by an employee, ~~[executed at any time after the employee's~~
 3 ~~joining an employee organization,~~] deduct from the payroll of
 4 the employee the amount of ~~[membership dues, initiation fees,~~
 5 group insurance premiums ~~[, and other association benefits]~~ and
 6 shall remit the amount to the group insurance provider or
 7 employee organization designated by the employee.

8 (c) The employer shall continue all payroll assignments
 9 authorized ~~[by an employee prior to July 1, 1970 and all~~
 10 ~~assignments authorized]~~ under subsection ~~[(b)]~~ (a) until
 11 notification is submitted by an employee to discontinue the
 12 employee's assignments."

13 SECTION 3. Statutory material to be repealed is bracketed
 14 and stricken. New statutory material is underscored.

15 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY:



S.B. NO. 2612

Report Title:

Payroll deductions; Membership and union dues excluded.

Description:

Provides that public employers are permitted to deduct group insurance premiums from employee's compensation upon written permission; removes public employer requirement to deduct membership or union dues from compensation.

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