

Honolulu, Hawaii

Feb 15, 2012

RE: H.B. No. 2627
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committees on Labor & Public Employment and Public Safety & Military Affairs, to which was referred H.B. No. 2627 entitled:

"A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING,"

beg leave to report as follows:

The purpose of this measure is to assist ocean safety and water safety officers employed by the State or counties in achieving more accurate collective bargaining representation by establishing a new bargaining unit, bargaining unit (14), for these public employees.

The Mayor of the County of Kauai, a Councilmember representing Lanai on the Maui County Council, Ocean Safety and Lifeguard Services Division of the City and County of Honolulu, Kauai Fire Department, Hawaiian Lifeguard Association, Kauai Lifeguard Association, Big Island Lifeguard Association, Hawaii Government Employees Association, and numerous individuals testified in support of this measure.

Ocean safety and water safety officers provide a valuable service to Hawaii's people, often risking their own lives to save others. Currently, these public employees have been placed in collective bargaining units (3) and (4) which encompasses supervisory and nonsupervisory employees in white collar positions. These units were established in the early 1970s.



Over the years, the duties and jobs of ocean safety and water safety officers have evolved. While the composition of the members of bargaining units (3) and (4) is broad and heterogeneous, ocean safety and water safety officers are not accurately represented by these units because of the skill levels and abilities these individuals must now possess, as well as the rigorous physical and technical training they must undergo, to perform their duties. Your Committees find that the establishment of a new collective bargaining unit for ocean safety and water safety officers would allow for truer representation of these public employees.

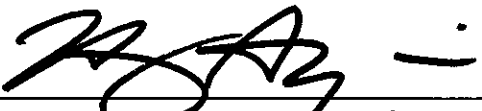
Your Committees have amended this measure by:

- (1) Changing the term "public sector union" to "exclusive representative" to more accurately reflect and remain consistent with current statutory language;
- (2) Specifying that an election by the Hawaii Labor Relations Board to determine whether, or by which organization, employees desire to be represented shall not be directed in any appropriate bargaining unit within which any new bargaining unit composed of employees currently covered by a valid collective bargaining agreement is created; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Labor & Public Employment and Public Safety & Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2627, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2627, H.D. 1, and be referred to the Committee on Finance.



Respectfully submitted on
behalf of the members of the
Committees on Labor & Public
Employment and Public Safety &
Military Affairs,


HENRY J.C. AQUINO, Chair


KARL RHOADS, Chair



State of Hawaii
House of Representatives
The Twenty-sixth Legislature

HSCR 427-12

Record of Votes of the Committee on Labor & Public Employment

Bill/Resolution No.: HD 2627	Committee Referral: LAB/PDM & FIN	Date: 2-10-12		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
LAB Members	Ayes	Ayes (WR)	Nays	Excused
1. RHOADS, Karl (C)	/			
2. YAMASHITA, Kyle T. (VC)	/			
3. AQUINO, Henry J.C.	/			
4. CULLEN, Ty	/			
5. ICHIYAMA, Linda	/			
6. LEE, Marilyn B.				/
7. LUKE, Sylvia				/
8. OKAMURA, Tom				
9. SAIKI, Scott K.				/
10. SOUKI, Joseph M.	/			
11. TAKUMI, Roy M.	/			
12. FONTAINE, George R.	/			
13. JOHANSON, Aaron Ling	/			
TOTAL (13)	9	-	-	3
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small style="margin-left: 100px;">committee acronym(s)</small>				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				

