

STAND. COM. REP. NO. 252-12

Honolulu, Hawaii

Feb 10, 2012

RE: H.B. No. 2859

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

Sir:

Your Committee on Labor & Public Employment, to which was referred H.B. No. 2859 entitled:

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

begs leave to report as follows:

The purpose of this measure is to promote the ability of individuals to organize and collectively bargain the terms of employment by removing student help from the list of state employees statutorily barred from inclusion in any appropriate collective bargaining unit.

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO, University of Hawaii at Manoa Graduate Student Organization, and numerous concerned individuals testified in support of this measure. Several concerned individuals testified in opposition to this measure. The University of Hawaii provided comments.

Hawaii has always been known as a state that supports the idea of collective bargaining, even going so far as establishing the right to collective bargaining in the Constitution of the State of Hawaii. However, certain categorizes of individuals, including graduate student workers, are currently exempt from Hawaii's collective bargaining law.

While other universities across the United States enjoy positive working relationships with graduate student unions that advocate on behalf of graduate student workers, graduate student

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workers at the University of Hawaii are not able to organize to advocate for their rights. According to these graduate student workers, the right to organize is necessary because they have encountered numerous issues over the past few years including no salary increase since 2004, system-wide budget cutbacks, increases in class size and workload, and an ever-increasing cost of living in Hawaii. Without a dependable and accessible avenue for obtaining help with a grievance, the employment issues faced by graduate assistant academic workers go unattended. Your Committee finds that graduate student workers should have the right to unionize.

Although your Committee understands the concerns raised by the University of Hawaii regarding the impact this proposal may have on the University, this measure deserves further consideration.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2859 and recommends that it pass Second Reading and be referred to the Committee on Higher Education.

Respectfully submitted on
behalf of the members of the
Committee on Labor & Public
Employment,



KARL RHOADS, Chair



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State of Hawaii
House of Representatives
The Twenty-sixth Legislature

Record of Votes of the Committee on Labor & Public Employment

Bill/Resolution No.: HB 2859	Committee Referral: LAB, HED, FIN	Date: 2-7-12
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The committee is reconsidering its previous decision on the measure.

The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold
 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)	10	2	-	-

The recommendation is: Adopted Not Adopted
If joint referral, _____ did not support recommendation.
committee acronym(s)

Vice Chair's or designee's signature: _____

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