

Honolulu, Hawaii

FEB 17 2012

RE: S.B. No. 2967
S.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committee on Judiciary and Labor, to which was referred
S.B. No. 2967 entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to establish a
separate collective bargaining unit for ocean safety and water
safety officers employed by the State or counties.

Your Committee received testimony in support of this measure
from the Mayor of the County of Kauai; the Mayor of the County of
Hawaii; a Council Member of the County of Hawaii; the Honolulu
Emergency Services Department of the City and County of Honolulu;
the Kauai Fire Department of the County of Kauai; the Hawaii
Government Employees Association, AFSCME Local 152, AFL-CIO; the
Hawaiian Lifeguard Association; thirteen private individuals; and
a petition with a total of one hundred sixteen signatures. The
Mayor of the City and County of Honolulu submitted comments.

Your Committee finds that ocean safety and water safety
officers are highly trained and competent emergency first
responders. Ocean safety and water safety officers employed by
the State or counties currently belong to bargaining units (3) and
(4) for white collar employees and white collar supervisors,
respectively. Bargaining unit (3) is the largest of all of the
thirteen bargaining units in the State and comprises a broad and
heterogeneous membership. The membership size and diversity of
professions included in this bargaining unit increase the



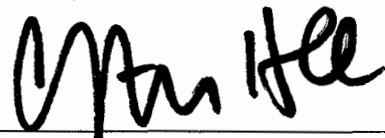
complexity and ability to address the specialized needs of ocean safety and water safety officers. By establishing a separate bargaining unit for these officers, this measure will enable these officers to more easily address with the employer any specialized needs of ocean safety and water safety officers, including fitness and equipment requirements, and improve salaries, benefits, and working conditions.

Your Committee has amended this measure by:

- (1) Adopting the amendments suggested by the Hawaii Government Employees Association that:
 - (A) Correct language to refer to the exclusive representative rather than a public sector union; and
 - (B) Amend the law relating to elections to determine whether or by which organization employees desire to be represented in collective bargaining by excluding from such elections a new bargaining unit established and comprised of employees covered under an existing valid collective bargaining agreement; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2967, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2967, S.D. 1, and be referred to the Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Labor,



CLAYTON HEE, Chair



The Senate
 Twenty-Sixth Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary and Labor
JDL

Bill / Resolution No.:* SB2967	Committee Referral: JDL, WAM	Date: 2/9/12		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
HEE, Clayton (C)	✓			
SHIMABUKURO, Maile (VC)	✓			
GABBARD, Mike	✓			
IHARA, Jr., Les				✓
SLOM, Sam		✓		
TOTAL	3	1	0	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes