

WRITTEN ONLY

TESTIMONY BY KALBERT K. YOUNG
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE
STATE OF HAWAII
TO THE HOUSE COMMITTEE ON HIGHER EDUCATION
ON
HOUSE BILL NO. 2859

February 14, 2012

RELATING TO COLLECTIVE BARGAINING

House Bill No. 2859 proposes to amend Section 89-6, Hawaii Revised Statutes, to not exclude from collective bargaining “. . . students of a state institution that are not employed by the State . . .”

The department does not take a position on this bill but would like to offer the following comments. First, the introductory section of this bill seems to indicate the exemption removal is only intended to be for graduate students at the University of Hawaii. However, the proposed language would seem to remove the exemption for all student workers. We believe the goal of exempting graduate students could be accomplished more simply by changing the language of Chapter 89-6(f)(15) to read: “(15) Student help, excluding graduate students employed in the University of Hawaii system;”.

Second, other implementation issues need to be worked such as appropriate language to actually place graduate students in an existing bargaining unit or whether the creation of new bargaining unit would be required.



UNIVERSITY OF HAWAII SYSTEM

Legislative Testimony

Testimony Presented Before the
House Committee on Higher Education
Tuesday, February 14, 2012
2:00 p.m.

By
Dr. Linda K. Johnsrud
Executive Vice President for Academic Affairs/Provost
University of Hawai'i

HB 2859 RELATING TO COLLECTIVE BARGAINING

Chair Nishimoto, Vice Chair Nakashima and Members of House Committee on Higher Education, I am submitting written testimony on behalf of the University of Hawai'i regarding House Bill 2859 – Relating to Collective Bargaining which proposes to amend HRS, §89-6, to not exclude from collective bargaining “...students of a state institution that are not employed by the State”.

The University of Hawai'i has concerns regarding the impact, intended and unintended, of the proposal if such legislation were enacted.

While the introductory section of the bill references graduate assistants, Section 2 of the bill deletes student help and inserts the provision “.. *students of a state institution that are not employed by the State.*” In the absence of a clear definition or description, the amending language could include undergraduate students, who have not attained their ages of majority. Furthermore, by the inclusion of students without further qualifications, it may be argued that “... students of a state institution not employed by the State” could be interpreted as extending collective bargaining rights to HIDOE K-12 students.

Most importantly, the University's graduate assistants are unlike any other employees. They are students first, and employees second. Graduate assistants are student learners. They are at the university to learn as much about their fields of study as their time and talents will allow. These graduate assistants are mentored and supervised by our rank 3, 4, and 5 faculty members who all hold Ph.D.'s and have many years of proven professional competence and experience, including evidence of proficiency in teaching. Part of our efforts as university mentors is to teach graduate assistants the subject matter. An equal or large part of our efforts is devoted to turning them out as academic professionals with real job skills in research techniques, teaching expertise, database management, etc. They learn these essential skill sets while in their graduate assistant positions under the guidance and supervision of our current faculty employees. A graduate assistant is similar to an on-the-job training or

apprenticeship program. It is not a career or a profession, but the beginning stages most faculty must complete to pursue a career in higher education.

As graduate assistants, their duties and work assignments differ significantly from that of faculty employees. Our Faculty members in ranks 3, 4, and 5 who mentor graduate assistants are required to teach classes and/or develop research programs with no supervision or oversight. There are at times consultation and interaction with other faculty members depending on the department's teaching needs or research focus, but there is not supervision *per se*. A graduate assistant does not step into a classroom, laboratory, or field exercise without supervision of some kind. Senior Teaching Assistants may be capable of teaching a lecture section with little or no supervision because they have been mentored and trained to take on that type of assignment. Similarly, senior Research Assistants will undertake more complex roles without strict supervision or even have the capacity to develop new techniques as they grow into their roles. Our goal is to train and mentor these graduate assistants to get them to that point where they can function as professionals and begin their careers.

From a collective bargaining perspective, it does not appear that the proposed amended group-- students "*not employed by the state*"--would fall within any of the existing categories under HRS, §89-6(a). Therefore, either the current categories will need to be expanded or additional bargaining units created. The issue of expanding the number and type of collective bargaining units has been a long standing issue by various employee groups and will likely lead to extensive debate and discussions with representatives of the existing bargaining units and advocates of other various employee groups. Included among the issues that would need to be addressed are the definition of the employer and the dispute resolution or impasse procedure (i.e., right to strike or subject to interest arbitration).

If collective bargaining were extended to *students not employed by a State institution*, among the mandatory subject of negotiations would be wages, hours, conditions of employment and fringe benefits. Wage and fringe benefits would have cost implications to both the State and the individual employer. In addition to the stipends that graduate student workers earn, the University also provides them full tuition waivers which may range from \$458.00 to \$725.00 per credit hour for residents; tuition waivers for non-resident tuition can range from \$1,116.00 to \$1,382.00 per credit hour. A full time graduate student resident tuition ranges from \$5,500.00 to \$9,000.00 per semester while non-resident tuition ranges from \$13,400.00 to \$16,600 per semester. Such matters will become negotiable subjects and may or may not be included in the negotiated compensation package.

Moreover, in the current fiscal climate, all UH employees have had their salaries reduced to deal with the funding shortfalls. We have been able to protect graduate students serving as teaching or research assistants from these reductions, but under this proposal their stipends would be negotiable. Similarly, all students are eligible to enroll in student health insurance plans; under this proposal, medical coverage would be negotiable.

Thank you for the opportunity to testify on this bill.

NEIL ABERCROMBIE
GOVERNOR



BARBARA A. KRIEG
INTERIM DIRECTOR

DEPUTY DIRECTOR

STATE OF HAWAII
DEPARTMENT OF HUMAN RESOURCES DEVELOPMENT
235 S. BERETANIA STREET
HONOLULU, HAWAII 96813-2437

February 13, 2012

TESTIMONY TO THE
HOUSE COMMITTEE ON HIGHER EDUCATION

For Hearing on Tuesday, February 14, 2012
2:00 p.m., Conference Room 309

BY

BARBARA A. KRIEG
INTERIM DIRECTOR

House Bill No. 2859
Relating to Collective Bargaining

TO CHAIRPERSON NISHIMOTO AND MEMBERS OF THE COMMITTEE:

The purpose of H. B. No. 2859 is to delete Section 89-6(f)(15), Hawaii Revised Statutes, that currently excludes student helpers from collective bargaining, in order to allow graduate student workers employed by the University of Hawaii to be covered by wage and benefit provisions in collective bargaining contracts.

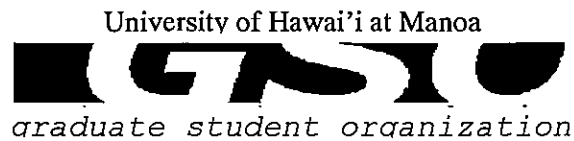
The Department of Human Resources Development has **concerns about the language of this measure**, as currently drafted.

Graduate student workers employed by the University of Hawaii system make up only part of the State's entire student helper workforce. Student helpers are employed by various State agencies (e.g., Hawaii State Public Library System), and include high school, as well as college students, who work primarily on a part-time, temporary basis.

If the intent of this bill is to include graduate teaching and research assistants at the University of Hawaii in collective bargaining, and this committee agrees with this concept, then we respectfully recommend that section 89-6, Hawaii Revised Statutes, subsection (f)(15) be amended as follows:

(15) Student help, except graduate assistants at the University of Hawaii;

Thank you for the opportunity to provide testimony on this measure.



To: House Committee on Higher Education
Representative Scott Y. Nishimoto, Chair
Representative Mark M. Nakashima, Vice Chair
Conference Room 309, February 14, 2012 at 2:00 PM

From: Anjali Nath, M.A.
President, Graduate Student Organization (GSO) of UH-Mānoa
ANath@hawaii.edu (email)

Testimony for HB2859: Relating to Collective Bargaining —STRONG SUPPORT

My name is Anjali Nath. I am testifying as an individual in STRONG SUPPORT of House Bill 2859. I am a Political Science Ph.D. student and Lecturer in the field of constitutional law at the University of Hawai'i at Mānoa. I am also President of UH-Manoa's Graduate Student Organization and a Degree Fellow at the East-West Center.

I was a member of UAW 4123 when doing my Masters Degree and lecturing in the California State University system prior to my doctoral program at UHM. Upon arrival in the state of Hawai'i, I was shocked to hear that graduate students were legally prohibited from collectively bargaining. Please consider the following reasons why I sincerely hope you choose to pass HB 2859.

Why support HB2859:

- **To Uphold Employee's Constitutional Rights:** Article XIII of the Hawai'i State Constitution reads (in Section 1. and Section 2.) that both persons in private and public employment shall have the right to organize for the purpose of collective bargaining. What compelling argument exists for why graduate students should not have our constitutional rights to collectively bargain respected, like secretaries, librarians, and other public employees? Please uphold our constitutional rights by passing this bill.
- **Our Wages are Stagnant:** Our current wages have not increased since 2004 and do not account for the cost of living in Hawai'i.
- **It Increases the Accessibility of Education:** If UH endeavors to provide accessible higher education, such principles must be operationalized. Currently, indigenous, working class, and other marginalized students are being pushed out of graduate education at UH because of poverty wages and exploitative working conditions. We do not all have the privilege, independent wealth, spouses or family to depend upon for survival, or access to loans that subsidize unfair employment and compensation practices. This bill discourages any further pricing out of academic employment opportunities for indigenous and working class students who cannot all afford to be UH graduate student employees.
- **Value Quality Education:** Graduate student collective bargaining will lead to a higher quality of education for the UH undergraduate student community that we teach. They



are the future of Hawai'i. Please take their education seriously. Furthermore, fast food wages create fast food products. The graduate student community would love to help sustain the prestige of UH as an institution. Yet we need certain minimal resources to make this dream a reality.

- **Hawai'i Cannot Afford to Not Pass this Bill:** The exploitation of graduate student labor at UH is subsidized by other aspects of our social structure. Thus, if we look at the bigger picture of the state's economy, graduate student collective bargaining will likely be financially beneficial. Undervalued graduate student employees currently rely on a variety of forms of public assistance, such as food stamps, when our jobs do not feed us. Secondly, let us remember the broader context of UH's casualization of its academic jobs. Were UH to incur any cost through graduate student employee collective bargaining, it would likely be a fraction of the cost incurred were UH to be paying professors with Ph.D.s to do the teaching and research that we currently conduct.
- **Allow Compensation in Accordance with Experience:** In my department and many others across UH, a first semester Masters student and an all-but-dissertation Ph.D. student in their final semester are compensated at the same pay step. So clearly on the ground practice in departments are not always consistent with any administrative assertion that graduate student rank or experience *has* to be taken into consideration in determining a graduate student employee's compensation. It does not.
- **Allow Graduate Student Employees to Strengthen UH:** Many graduate students are honored to be a part of UH and deeply appreciate the experiences we cultivate through this institution. That love of learning, however, does not foreclose our need to sustain our basic human needs. Indeed, graduate students could be all the more passionate about our work and could strengthen UH even more if many of us did not have to constantly strategize ways of surviving beyond our unjust university compensation.

Next, please find below reasonable responses to potential opposition to upholding the graduate student employee right to collectively bargain.

Graduate Students are Really Just Apprentices!

The idea of graduate student employees arriving at UH as a blank slate to whom university faculty teach everything about research and teaching is simply unrealistic. For example, I was a lecturer in the California State University system and had already published prior to my arrival at UH. My case is not unusual. Perpetuation of the apprenticeship myth, though, is a classic recourse used by university administrators often in consul with anti-union lawyers when trying to suppress graduate student employee rights. Let us see how unrealistic this mischaracterization is:

“This gap allows for the first fiction of the apprenticeship myth: the conflation of learning and labor. Graduate students' academic freedom as learners is qualified, but we cannot collapse the distinction between their pursuit of an advanced degree with the work they do to pay for it... Clearly, learning occurs anytime one teaches, but unless research universities wish to admit they are training the next generation of contingent faculty, it makes no sense to



conflate my role as a student and my role as a poorly paid worker... Apprenticeship operates as a self-reinforcing, disingenuous justification of academic freedom's erosion" (2).¹

We are qualified enough to teach undergraduates, yet we are not qualified enough to collectively bargain?

Next, a study highlighting three major limitations of the apprenticeship model may be helpful in breaking down this unhelpful myth. First, we are reminded that "unlike most apprentices in earlier stages of capitalism, the vast majority of US workers- and of course students- have had the experience of formal education, which mediates their encounter with practices beyond school- and of course with further levels of schooling as well."² Additionally, specialization in the academy today does not look very similar to apprenticeship models of job training. A second problem with the apprenticeship model is that today graduate student employees have to communicate with others outside of our fields and develop skills that are suitable for the transdisciplinary production of knowledge. Russell reminds us that "traditional apprenticeship learning was... encapsulated in the social practices of a discrete community, the cobbler, the machinist, the weaver, and so on." Third, this study reminds us of newcomers (students) often have more expertise than 'old-timers' (professors) in a variety of areas, such as contemporary information technology, computers, new social media, using mixed media pedagogically, etc. Russel explains "older employees often look to new employees to learn essential practices, particularly with computer technology. The young teach the old. Indeed, organizations often deliberately recruit young employees with new ideas and techniques... in order to bring fresh techniques. The apprenticeship metaphor fails rather miserably to theorize these developments."

Next, teaching and research are a required part of the path to desired academic careers for many graduate students. The university, then, could be considered to be using this mandated workforce without due compensation and just working conditions. Furthermore, no language in the National Labor Relations Act excludes workers in training from the right to collective bargaining.³ As a matter of fact, collective bargaining is an age-old tradition among apprentices in a wide variety of fields. Graduate student workers are carrying out the core mission of UH. Why shouldn't we be allowed legally to fulfill this mission to the best of our ability? Finally, graduate student employees pay taxes on our income like any other public employee. The IRS and other federal agencies certainly treat graduate student employees and our compensation like any other public employee.

But Graduate Employment is Not a Career!

It is next crucial to clarify some recently stated misconceptions about graduate student employees as students first and employees second. Such a distinction, often tied to the apprenticeship myth, is meaningless in many instances of graduate student employment at UH. Some may try to use the fact of graduate student employment only occurring for several years per student as a justification for denying our constitutional right. I invite anyone considering the idea of graduate student workers as temporary to consider that such vulnerability is *all* the more reason why graduate student employees should have the right to free association upheld by our

¹ Dan Colson: "Graduate Student Academic Freedom and the Apprenticeship Myth" AAUP Journal of Academic Freedom <http://www.academicfreedomjournal.org/VolumeTwo/Colson.pdf>.

² David R. Russel: "The Limits of the Apprenticeship Models in WAC/WID Research" <http://www.public.iastate.edu/~drrussel/russell4c98.html>.

³ National Labor Relations Board website: <https://www.nlrb.gov/national-labor-relations-act>.



state constitution. In this economy, much work is temporary. Indeed, job security is becoming increasingly scarce. Why shouldn't temporary labor be able to collectively bargain? The Hawai'i State Constitution does not prohibit temporary workers, if this is how some choose to see graduate student employees, from collectively bargaining. Next, such logic goes against the International Labor Organization (ILO) of the United Nations reaffirming TA's and RA's internationally recognized right to form unions in 2008. It also contradicts the National Labor Relations Board 2011 decision that teaching assistants are employees entitled to unionize.⁴

But Graduate Students are So Expensive!

Some may try to portray graduate students as quite expensive, going so far as to see us as a veritable liability to the university. However, not all graduate student employees, let alone graduate students, receive tuition waivers. For example, when I lecture in the summer and am not taking classes, I am not receiving a tuition waiver. Students in some departments that teach during the academic year do not receive tuition waivers. Furthermore, many students, such as myself, have external fellowships. This means that the university is not paying for our tuition, fees, health insurance, housing, etc. To be clear, it would be a mischaracterization of the diversity of our experiences as graduate students to think that UH is paying for all or any of these expenses for graduate student employees.

But Jobs Might Vanish!

Research on other U.S. universities where graduate students engage in collective bargaining have not necessarily led to a decrease in the positions available to graduate students for employment. The idea of university administration choosing to cut graduate student employment options as a result of the return of our constitutional right to collectively bargain is concerning. However, we hope that UH administrators would not engage in such actions and cannot anticipate this as a likely result of the return of our constitutional right. Indeed, graduate students have consistently sought inclusion in university financial decision-making processes within the past two years. There is no reason why graduate students could not work together with UH administrators on brainstorming the most financially responsible collective bargaining arrangement possible. Lastly, UH has not done research on how position numbers and salary would be affected by graduate student employee collective bargaining.⁵ Thus, we cannot assume that there will be a reduction in positions. Furthermore, we can look to the precedents set by the over sixty universities in the U.S. where graduate students do collectively bargain currently to see that there were no catastrophic results. Indeed, productivity has generally improved.

What if this Inspires Other Students?

On the first page of Linda Johnsrud's testimony in opposition to HB 2859, she demonstrates concern with the bill's language about which groups of student employees could potentially collectively bargain as a result of this bill. Specifically, she states "In the absence of a clear definition or description, the amending language could be interpreted as extending collective

⁴ "A Debate Reopened"

http://www.insidehighered.com/news/2011/06/21/nlrb_ruling_adds_to_debate_over_union_rights_for_graduate_students.

⁵ As conceded by Dr. Patricia Cooper in her testimony to the House Committee on Labor and Public Employment on February 7, 2012.

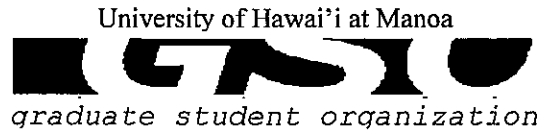


bargaining rights to undergraduate students, or even HODOE K-12 students.”⁶ Again, Article XIII of the Hawai'i state constitution reads (in Section 1. and Section 2.) that both persons in private and public employment shall have the right to organize for the purpose of collective bargaining. If this language applies to undergraduates or HODOE K-12 students, so be it. Why shouldn't students who are state employees share the same constitutional right to collectively bargain as all other Hawai'i state employees?

The overwhelming affect of the University of Hawaii's system-wide and campus-wide budget cuts on graduate students must be addressed immediately. At the state level, all we are requesting is the ability to collectively advocate for ourselves in a more sustained manner than we are currently able to do, so that we can ensure our rights as state employees for better working conditions and salary increases. Since 2004, we have not received a salary increase; yet with the rising cost of living, taxes and tuition we earn low wages and work long hours. Thus, as workers, our labor is easily exploited and we have no recourse of action for a grievance process to advocate for our workers' rights and education. Our current collective bargaining laws are out of date and prohibit us from forming and/or join a union as graduate student workers at a public state university. Please update our collective bargaining laws by removing student help from the list of individuals prohibited from inclusion in any appropriate collective bargaining unit. Ultimately, we deserve the right to free association as all other state employees in Hawai'i are constitutionally guaranteed. UH cannot afford to not uphold the graduate student employee right to collective bargaining.

Please pass this bill; thank you for your consideration.

⁶ Submitted in writing to the House Committee on Labor and Public Employment for the February 7, 2012 hearing.



House Committee on High Education

Dear Committee members

I would like to issue this testimony in support of House Bill 2859. Currently, based on Hawaii state statute, it is illegal for the graduate assistants to form a union. This bill would make the necessary changes to the law to allow graduate assistants to the right to form a union. The budget cuts through out the state have also affected the University of Hawaii at Manoa, however, unlike other state employees, who were able to negotiate how much, who and when the budget cuts would take affect, graduate assistants had these terms dictated to them. While, graduate assistants did not receive a pay cut, additional fees were added to all students, most of which the decision to add on nominally included the students, in addition to a planned tuition increase are effectively the same thing as a pay cut. This is on top of the fact that graduate assistants have not received a pay increase since 2004 while cost of living has continued to increase. These issues have conspired to create a situation where it is difficult to impossible for many graduate students to live without acquiring a second or even third job. This extra work takes time away from their studies and retards their advancement towards their degree, and thus is directly at odds with the mission of the University in educating these graduate students.

I would also like to point out that one of the priorities for the institution and the state sponsorship of it, is that the University of Hawaii at Manoa remain a tier 1 research institution. Graduate assistants are an important part of this process. Of particular importance should be the ability to be competitive with other universities in hiring the best graduate students available. To that end, I have included three tables, which demonstrate the barriers to this based on current graduate assistant pay rates at the University of Hawaii at Manoa. These tables have graduate student stipends from different universities considered by the Manoa Institutional Research Office to be our peer and benchmark institutions based on research qualifications. University of North Carolina-Chapel Hill has been excluded from these tables because they do not have standardized stipend levels. The first table contains the actual compensation granted by these institutions. Just like UH, all of these institutions included full tuition remission with an assistantship and most included full health care benefits as well. Many of the schools additionally included a schedule of when raises from one step to the next takes place. For brevity, I have included on the lowest five steps at all institutions, as well as teaching assistants when they are listed separately from research assistants. Higher steps are included in the maximum column. This information is found online on the respective schools' websites. Citations are included at the bottom of the testimony.

Table 1

School	TA	RA1	RA2	RA3	RA4	RA5	Min	Max
UH-M		15552	16176	16824	17496	18198	13296	25902
UC Berkeley	17309	16698	17999	19956	21558	22992	16697	32730
UC Davis	17309	16698	17999	19956	21558	22992	16698	32730
UCLA	17309	16698	17999	19956	21558	22992	16699	32730
UCSD	16969.5						16212	31776
Pitt	15830						12920	18100
U. Washington		16775		18029		19371	16775	25212

University of Hawai'i at Manoa



Tables 2 and 3 include the same information, but transformed using two different methods to take into account the difference in the cost of living between these places and Honolulu. The first in Table 2 is normalized by the living wage as determined by Penn State University and then multiplied by that value for Honolulu. Table 3 uses a calculation from cnnmoney.com. It is less complete due to lack of appropriate options for some of the included universities.

Table 2

School	TA	RA1	RA2	RA3	RA4	RA5	Min	Max
UH-M		\$0.00	\$15,552.00	\$16,176.00	\$16,824.00	\$17,496.00	\$18,198.00	\$25,902.00
UC Berkeley	\$20,052.55	\$19,344.70	\$20,851.91	\$23,119.11	\$24,975.03	\$26,636.32	\$19,343.54	\$37,917.84
UC Davis	\$22,885.17	\$22,077.34	\$23,797.46	\$26,384.91	\$28,503.01	\$30,398.98	\$22,077.34	\$43,274.12
UCLA	\$20,106.26	\$19,396.52	\$20,907.77	\$23,181.03	\$25,041.93	\$26,707.67	\$19,397.68	\$38,019.40
UCSD	\$18,901.81	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$18,058.06	\$35,394.33
Pitt	26677.24	0	0	0	0	0	21773.21	30502.72
U. Washington	0	24744.08	0	26593.8	0	28573.32	24744.08	37189.13

Table 3

UH-M		15552	16176	16824	17496	18198	13296	25902
UC Berkeley	21356	20602	22207	24622	26598	28368	20601	40383
UC Davis								
UCLA	21870	21098	22742	25215	27239	29051	21100	41356
UCSD	21802						20829	40827
Pitt	28019						22868	32037
U. Washington		24037		25834		27757	24037	36127

As is evident from these tables, graduate assistants from UH-Manoa are significantly under paid with respect to our peers.

Thank you for your consideration

Aaron Levine

GSO Treasurer

Graduate Research Assistant, Department of Meteorology

Citations

<http://www.grad.washington.edu/students/fa/salaries/ta2011-12variable.pdf>

<http://hrweb.berkeley.edu/labor/contracts/BX/current-rates>

<http://www.gradstudies.ucdavis.edu/employment/index.html>

<http://www.gdnet.ucla.edu/gss/appm/aaprate.pdf>

<http://www.gdnet.ucla.edu/asis/entsup/ta-rashp.htm>

http://ogs.ucsd.edu/_files/financial/prospective-financial-support/jobopportunities.pdf

<http://www.pitt.edu/~graduate/stipends.html>

<http://www.livingwage.geog.psu.edu/>

<http://cgi.money.cnn.com/tools/costofliving/costofliving.html>



Tani H. Sebro
Academic Chair
Graduate Student Organization
University of Hawai'i at Mānoa

TO: THE HOUSE COMMITTEE ON HIGHER EDUCATION
TWENTY-SIXTH LEGISLATURE
Regular Session of 2012
Tuesday, February 14th, 2012
2:00PM.

**TESTIMONY IN SUPPORT OF HB 2859: STUDENT WORKERS RIGHTS TO COLLECTIVE
BARGAINING**

TO THE HONORABLE CHAIR, AND MEMBERS OF THE COMMITTEE:

I appreciate the opportunity to testify in support of HB 2859. My name is Tani Sebro I am the Academic Chair in the Graduate Student Organization, as well as a Teaching Assistant in the Political Science Department at the University of Hawai'i at Mānoa

I support this bill because as a Teaching Assistant and employee of the State of Hawai'i, I believe I have the right to collectively bargain just as any other State employee does. With the cost of living in Honolulu increasing each year, it is becoming increasingly impossible to live off the meager wages we earn as graduate assistants. I currently make \$1200 per month, while my rent and utilities are \$800 per month. I am unable to afford health insurance and barely have enough for food and other expenses. As student workers and employees of the State, we ought to have the right to unionize to advocate on our own behalf. It is unfair that under the current law we are barred from organizing as student workers. If the current law passes, we student workers, as employees of the state will have the same rights as any other state employee to unionize. This is only fair and on par with nearly all other major public universities and research institutions in the United States.

Thank you for the opportunity to testify in support of HB 2859, I recommend that it be passed, unamended. I will be happy to answer any questions that the Chairperson or members of the Committee may have.

Sincerely,

Tani H. Sebro, PhD Student
Department of Political Science
Academic Chair, Graduate Student Organization
University of Hawai'i at Mānoa
2424 Maile Way, 627 Saunders Hall
Honolulu, Hawai'i 96822

Lecturer, Kapiolani Community College
Department of Social Sciences

University of Hawai'i at Manoa



4303 Diamond Head Road, Olona 118
Honolulu, Hawaii 96816

tanih@hawaii.edu

2445 Campus Road Hemenway Hall 212 Honolulu, HI 96822
(808) 956-8776 gso@hawaii.edu
<http://www.hawaii.edu/gso>

February 13, 2012

The Honorable Scott Y. Nishimoto,
House Committee on Higher Education

RE: SUPPORT HB 2859

Chairman Nishimoto and members of the committee,

Mahalo nui loa for considering my testimony in support of HB 2859 pertaining to the collective bargaining rights of student in the State of Hawaii. With the current state of the economy and the budgetary concerns of the University of Hawaii system, it is more important now than ever that graduate students working rights are protected. The best and most effective way for this to happen is by allowing us to collectively bargain with the University. The graduate student pay has been frozen for several years now, yet tuition and fees go up. Even though I am on a tuition waiver, I still have to pay the student fees which have increased by about 25% since I started in 2009. The university charges us more money, but pays us the same amount every year. I am starting to amass more and more debt and it would be nice if I could just afford to pay these fees instead of having to put them on a credit card with everything else.

While I attended the University of Massachusetts Lowell for two years to get my Master's Degree in environmental studies, I was a member of the student union. The main issue that the union dealt with every year was affordable healthcare. UMass paid for much more of the healthcare than UH does. Healthcare costs are the largest deduction from my paycheck. I either have to spend hundreds of dollars I can't afford to spend a month on healthcare or just hope nothing happens to me. With an emergency room visit and several doctor visits for various injuries over the past two years, I would probably have had to file for bankruptcy if I didn't have healthcare. I just wish there was a union to bargain for a better cost of insurance to graduate students.

I have personally made a push for allowing students to be a part of the financial responsibility of the University of Hawaii system. Administrators make important financial decisions with minimal input from the students whom these decisions will affect. Recent examples of the administration making these kinds of decisions are the Manoa Student Athletics Fee and the Tuition Hike that was passed this semester. I drafted a resolution that unanimously passed through the Graduate Student Organization and the UH Student Caucus. It asks for students to be included on financial policy decisions. If students have the right to collectively bargain, the University will have to be more fiscally responsible and transparent with how research into its financial decisions is conducted and how policy is formed. On the last page, I have included the resolution that passed unanimously through the GSO and the UH Student Caucus.

As educated adults and voters in Hawaii, graduate students should be able to form a union. We work for little pay; advisers and departments can easily violate our working agreements because we have insufficient means of recourse. Please vote in support of HB 2859 and allow students the right to collectively bargain.

- Tom Robinson

At-Large Graduate Student Organization Representative

Student Caucus Representative for the Graduate Student Organization

Graduate Student - Department of Meteorology

Policy for Including Students in Decision Making Processes

Whereas the University of Hawai'i has approximately 60,000 adults making up the student body, and

Whereas the University of Hawai'i has a student government structure that is set up so that the governments act as advisory bodies to the chancellor for each campus and the University of Hawai'i Student Caucus acts as an advisory body to the University President, and

Whereas recently, financial decisions such as the tuition hike in 2011, the student athletic fee at UH Mānoa, and the hiring of a new football coach were researched and policy was formed before meaningful consultation with the student advisory bodies, and

Whereas students want to be involved in the policy making process so that the University of Hawai'i can be a place of excellent education and reasonable student expenses, and

Whereas the current relationship and trust between students and administration may become tenuous, and

Whereas including students in policy and financial decision making will build a team environment where students and administrators work together instead of one group presenting a policy and the other protesting it, and

Whereas including students in the research and decision making process allows for more transparency related to decision making and fiscal responsibility, and

Whereas creating and nurturing a positive relationship between students and administrators is imperative to the success of students at the University of Hawai'i, therefore be it

Resolved, That the University of Hawai'i adopts a policy requiring administrators and University departments to include student representatives from the appropriate student advisory body in the research and policy forming process when the policies have direct financial impact on the student body; with each advisory body sending one or two representatives, and for issues related to Mānoa campus one or two representatives from the Associated Students of the University of Hawai'i (ASUH) and one or two representatives from the Graduate Student Organization (GSO).

Committee on Higher Education
Hawai'i State Legislature

Re: House Bill 2859 concerning graduate student collective bargaining rights

February 11, 2012

Dear honorable members of the House Committee on Higher Education,

As a University of Hawai'i faculty member, I strongly support this bill. The intent of the bill is to strengthen higher education in the state, a critical sector to focus on for our future in the islands. I was a graduate student myself at a doctoral institution (the University of Iowa) which had a union of graduate student employees, and I can testify that this organization (which formed while I was a student) increased productivity and collegiality. When students do not have to work extra jobs to stay in school, they are better educators and researchers. When students have access to affordable and higher quality health care, they are healthier and more productive. When students can avail of a union's ability to advocate their grievances, they will be more fulfilled and dedicated workers. When students have secure and satisfactory contracts and working conditions, they will be more efficient. By seeking to improve the environment for graduate student workers, this bill would strengthen higher education and help this sector contribute even more positively to our state's educational and economic futures.

While the University might claim that graduate students are students first and workers second, this is a disingenuous argument. The truth is that they are both workers and students, and we can separate out their labor from their education. Many elite public flagship universities across the nation agree, as do the country's courts. I teach world history classes and, as part of that assignment, I supervise graduate students workers as teaching assistants. They work hard and well, and their labor – in addition to educating the students of this state – also saves the University significant amounts of money because it is cheaper than having a faculty member do the same work.

Denying graduate students workers the ability to collectively bargain is a violation of their rights. Furthermore, it damages the University and the state. If graduate workers were enabled to negotiate their contracts collectively, they will be more productive workers in their duties of educating students, conducting research, and assisting faculty members, thereby making the University – a crucial economic engine in our state – run more efficiently. The UH works because graduate students do. They deserve the same rights as all workers. Please support this bill.

Respectfully submitted,

Ned Bertz
Assistant Professor
Department of History
University of Hawai'i-Mānoa



House Committee on Higher Education
Tuesday, February 14, 2012
2:00 p.m.

HB 2859, Relating to Collective Bargaining.

Dear Chairman Nishimoto and Committee Members:

On behalf of the University of Hawaii Professional Assembly (UHPA), we believe that the right to collective bargaining should be extended to university graduate assistants in Hawaii. Often these employees find themselves having little control over their working conditions and the educational experiences that should enhance their learning and skill development. Graduate Assistances, by their very nature, often are caught in a twilight zone without appropriate recourse to resolve problems and issues arising out of the employment relationship.

In the past, UHPA has supported efforts to include graduate assistants under the provisions of Chapter 89. We believe it is appropriate that graduate assistants should have a voice in their unique employment/education positions.

We urge the Committee to support this legislation.

Respectively submitted,

Kristeen Hanselman
Associate Executive Director

**UNIVERSITY OF HAWAII
PROFESSIONAL ASSEMBLY**

1017 Palm Drive · Honolulu, Hawaii 96814-1928
Telephone: (808) 593-2157 · Facsimile: (808) 593-2160
Web Page: <http://www.uhpa.org>



nakashima2 - Susie

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 13, 2012 3:56 PM
To: HEDtestimony
Cc: kathy@uhpa.org
Subject: Testimony for HB2859 on 2/14/2012 2:00:00 PM
Attachments: hb2859120214.PDF

Testimony for HED 2/14/2012 2:00:00 PM HB2859

Conference room: 309
Testifier position: Support
Testifier will be present: No
Submitted by: Kristeen Hanselman
Organization: UHPA
E-mail: kathy@uhpa.org
Submitted on: 2/13/2012

Comments:



HAWAII GOVERNMENT EMPLOYEES ASSOCIATION
AFSCME Local 152, AFL-CIO

RANDY PERREIRA, Executive Director • Tel: 808.543.0011 • Fax: 808.528.0922

The Twenty-Sixth Legislature, State of Hawaii
House of Representatives
Committee on Higher Education

Testimony by
Hawaii Government Employees Association
February 14, 2012

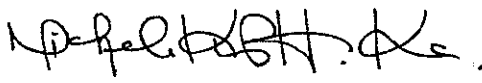
H.B. 2859 – RELATING TO
COLLECTIVE BARGAINING

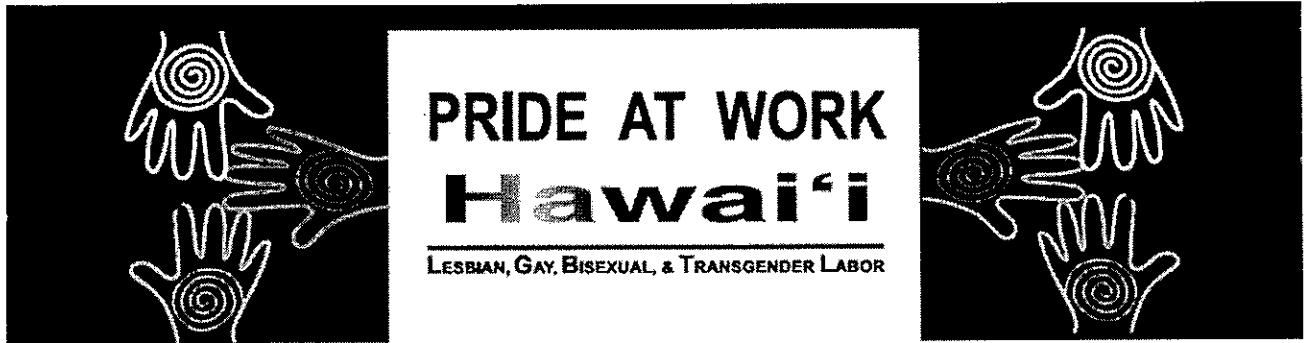
The Hawaii Government Employees Association AFSCME Local 152, AFL-CIO strongly supports the concept of allowing student help to be included in an appropriate collective bargaining unit, as proposed in H.B. 2859 – Relating to collective bargaining.

Student workers have encountered numerous issues in the past few years, including budget cutbacks, an increase in class size and workload, and the ever increasing cost of living in Hawaii. Despite these issues, student workers have not received a salary increase since 2004. Amending Ch. 89-6, Hawaii Revised Statutes by removing the exclusion of student help employees from collectively bargaining is the first necessary step in allowing them to unionize and will ensure their rights as state workers.

Thank you for the opportunity to testify in support of H.B. 2859.

Respectfully submitted,

for 
Randy Perreira
Executive Director



February 14, 2012

House Committee on Higher Education
Chair, Rep. Scott Nishimoto
Vice Chair, Rep. Mark Nakashima

Testimony in strong support of HB 2859

Pride At Work Hawai'i, an affiliate of the Hawai'i State AFL-CIO which works to mobilize lesbian, gay, bisexual, and transgender (LGBT) workers and their supporters for full equality and to build mutual support between the labor movement and the LGBT community, supports HB 2859, which would take the long-overdue step of granting collective bargaining rights to graduate students who work for the University of Hawai'i system.

The ability to bargain for basic working conditions, wages, and benefits is essential for all workers. Graduate students who work for the University of Hawai'i provide an invaluable and essential service to the university system by teaching and assisting faculty; they are also students whose well-being should be a priority for all residents.

The right of workers to bargain collectively is an internationally-recognized human right. Hawai'i needs to extend this right to our hard-working - and all-too-easily exploited - brothers and sisters who keep our higher-education system functioning. Please support our education system by supporting HB2859.

Mahalo.

nakashima2 - Susie

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, February 11, 2012 10:47 AM
To: HEDtestimony
Cc: nsharma@hawaii.edu
Subject: Testimony for HB2859 on 2/14/2012 2:00:00 PM

Testimony for HED 2/14/2012 2:00:00 PM HB2859

Conference room: 309
Testifier position: Support
Testifier will be present: No
Submitted by: Dr. Nandita Sharma
Organization: Individual
E-mail: nsharma@hawaii.edu
Submitted on: 2/11/2012

Comments:

I strongly urge you to pass HB2859 and recognize that student workers at UH are indeed workers, and not just "help."

To: House Committee on Labor and Public Employment

From: Shahin Rahman (shahinur@hawaii.edu)

Testimony for HB2859—STRONG SUPPORT

Every month I get \$1006 salary through my Graduate Assistant job after paying tax and health insurance. My house rent and utility bill is about \$850 a month. Food and other basic necessities cost about \$200 a month. It translates to a net deficit every month. Since I am an international student I cannot work more than 20 hours a week to balance my deficit. I'm eking out just because I was able to work full time during last summer and was able to save some money. Ideally, I would like to spend the summer of 2012 doing field work so that I can wrap up my doctoral program by the end of next year. However, I am really worried about my financial situation if I cannot work during summer and save money for coming fall and spring semester. On the other hand, if I cannot finish field work, I will not be able to graduate end of next year. This constant psychological pressure has been affecting my academic life immensely. 20% of UH Manoa graduate students are international students. I'm pretty convinced that majority of them are also going through this kind of financial and hence psychological predicament. With stagnant wage and ever increasing living cost, it is getting impossible to live a decent life as a doctoral student. I think we deserve better for our contribution to the university and the larger community.

As a result, it is important to pass this HB2859 bill that will eliminate the barrier for students to unionize which in the long run will enable graduate student workers to bargain for their salary and other work place rights. Ultimately, this change will improve graduate student experience for both international and domestic students.

Mahalo

Shahin Rahman

Doctoral Student, Dept. of Urban and Regional Planning
Employment and Compensation Executive Committee chair, GSO, UH Manoa

nakashima2 - Susie

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 12, 2012 3:27 PM
To: HEDtestimony
Cc: ksvinogiri@yahoo.com
Subject: Testimony for HB2859 on 2/14/2012 2:00:00 PM

Testimony for HED 2/14/2012 2:00:00 PM HB2859

Conference room: 309
Testifier position: Support
Testifier will be present: No
Submitted by: Vinogiri Krishnan
Organization: Individual
E-mail: ksvinogiri@yahoo.com
Submitted on: 2/12/2012

Comments:
Please support this bill it will be worth it!

To: House Committee on Higher Education
Representative Scott Nishimoto, Chair
Representative Mark Nakashima, Vice Chair
Honorable Members of House Committee on Higher Education

Conference Room 309, February 14, 2012 at 2:00PM

From: Sue Haglund
shaglund@hotmail.com (email)

Testimony for HB2859—STRONG SUPPORT

My name is Sue Haglund. I am testifying as an individual in **STRONG SUPPORT** of House Bill 2859. I am a Political Science doctoral candidate ABD at the University of Hawaii at Manoa. I am also Parliamentarian and Adjudication Chair of UH-Manoa's Graduate Student Organization since 2010.

Graduate Student Employees are State Employees. When hired for employment, we fill out the forms W-4 and I-9. We pay our federal and state taxes. Moreover, at the end of fiscal year, by January 31st, we receive our W-2s that is the United States federal tax form issued by employers and reporting how much an employee was paid in a year. We are not just a population of "student learners," we are an employed population that work for a public institution, which is a State Agency, named University of Hawaii. HB2859 is about graduate student employees' right to collective bargaining as state employees employed by University of Hawaii.

A university is a community of scholars and *community of employees*. The binary relationship of scholar and employee is analogous to a graduate student's university role as a student and a graduate assistant employed by the University.

There is a nationwide trend where graduate students who are **graduate student employees** share a common educational livelihood: scholarly research and economic survival. As a community of scholars, graduate students in non-terminal and terminal degree programs experience first hand the dire trend of American universities that operate university research institutions as corporations. Universities operate like corporations based on how much profit can be generated and budgets cuts in a top-down method, as a justification to save money. The University of Hawaii, a public university system in the State of Hawaii, is no different.

The University of Hawaii is a corporation—first—before it is a research, scholarly institution. At the university level, conceptually and ideally, we are a community of scholars. However, in practice we are a community of employees. The University of Hawaii is our major employer. As a community of employees, graduate student employees received the brunt of the University of Hawaii's calculated financial decisions in order to save money and to make money. The University of Hawaii's financial

decisions affect all stakeholders of the university system wide from collective bargaining unit employees (UH faculty-staff for example) to non-collective bargaining unit employees (for example, graduate assistants, teaching assistants, and research assistants).

There is a huge difference between collective bargaining unit employees and non-collective bargaining unit employees at the University of Hawaii. The first group has representation to negotiate on their behalf for better working conditions, salary increases, grievance procedures, and healthcare coverage. The second group, on the other hand, is excluded from any and/or all collective bargaining negotiation(s) because current state law lists them as “a student of a state institution” and “student help”—entities that are prohibited from collective bargaining.¹

Background on Academic Collective Bargaining Nationwide

Graduate assistants’ right to academic collective bargaining is not a new concept. In fact, several American universities legally recognize graduate student employees’ rights in university-setting workplace.

According to Dr. Gordon J. Hewitt, an assistant director in institutional research at Tufts University:

...graduate student unions have been around since 1969, when the University of Wisconsin’s Teaching Assistants Association was recognized, it has been in the 1990s that large numbers of graduate student employees have attempted to unionize at colleges and universities in the United States. In 1992 and 1998 graduate teaching and research assistants in the University of California System went on strike seeking recognition for collective bargaining and, in 1999 finally won recognition from the university administration. In the State University of New York (SUNY) system, the Graduate Student Employee Union successfully negotiated its first contract with the State of New York in 1994 after voting to unionize. This certification vote was the culmination of almost twenty years of negotiations, work stoppages, and court cases aimed at obtaining recognition as an employee union in SUNY [2]. In the latter 1990s graduate student unions have also won recognition elections at the universities of Iowa and Kansas, Wayne State University, and Oregon State University.²

Hewitt’s study examined and probed the relational effects between faculty and graduate student employees at five universities who already had established graduate student employee unionization.³ The following institutions were: University of

¹ Hawaii Revised Statutes, Section 89-6,(f), 14-15

² Gordon J. Hewitt, Ph.D., “Graduate Student Employee Collective Bargaining and the Educational Relationship Between Faculty and Graduate Students,”]. *Collective Negotiations*, Vol. 29(2)(2000): 154.

³ *Ibid.*, 157-158.

Massachusetts-Amherst, State University of New York at Buffalo, University of Florida, University of Michigan, and the University of Oregon.⁴ In his findings, Hewitt dismiss the typical arguments of administrators at universities who theorized that academic collective bargaining disrupt and harm the educational relationship between faculty and graduate students who are members of a collective bargaining unit. Hewitt concludes:

It is clear, through the results obtained from the attitude scale and experience section, that faculty do not have a negative attitude toward graduate student collective bargaining. It is important to reiterate that the results show faculty feel graduate assistants are employees of the university, support the right of graduate students to bargain collectively, and believe collective bargaining is appropriate for graduate students. It is even more important to restate that, based on their experiences, collective bargaining does not inhibit their ability to advise, instruct, or mentor their graduate students.⁵

Similarly in 2002, a study lead by Stanford University upheld and demonstrated Hewitt's findings that collective bargaining also did not affect the educational relationship between faculty and graduate student employees.⁶ Both Hewitt's study and Stanford University's study summarize that no conclusive evidence show unionization of graduate student employees does not disrupt that faculty-graduate student employee relationship nor impede academic freedom—on the contrary, both entities are “strengthen the integrity of the academy.”⁷

The unionization of graduate student employees is crucial, not only at a national-level, but at the state-level as well. Graduate student employees are a substantial percentage of instructional workforce at the university and who are usually undercounted. According to Coalition on the Academic Workforce's February 2010 report, federal data on instructional staffing report that:

One must also account for graduate teaching assistants (TAs). When TAs are included, almost three-fifths of the teaching corps in higher education taught part-time in 2007—58.5% in all institutions (55.9% in four-year institutions)...graduate student TAs accounted for 19.4% of teachers in higher education in 2007 (25.0% in four-year institutions); full-time tenured and tenure-track faculty members made up only 25.1% (27.5% in four-year institutions). Thus close to 75% of the instructional workforce was made up of non-tenure-

⁴ Ibid., 153.

⁵ Ibid., 164.

⁶ Michael Mauer, Esq. “American Labor Board Hearing: Statement of Michael Mauer, Esq., Director of Organizing and Services Yale University, September 30, 2003,” American Association of University Professors, <http://www.aaup.org/AAUP/issues/grads/mauerstatement.htm> (accessed February 3, 2012).

⁷ Ibid.

track faculty members and graduate employees in 2007...⁸

Evidently, graduate student employees are undercounted economic function contributors in universities. Gordon Lafer, an assistant professor at the University of Oregon's Labor Education and Research Center, report that "it is estimated that between 50 percent and 70 percent of all teaching hours are now performed by graduate students and other "contingent" teachers."⁹ That is to say, as Lafer explains, "an undergraduate signing up for an English class has a less than one-in-four chance of being taught by a tenure-track professor. And in both natural science and humanities departments, graduate students are responsible for 90 percent of the grading."¹⁰

So what does that mean? That means, Graduate student employees are an undercounted instructional workforce who contributes to the economic operations of all universities, including the University of Hawaii. However, graduate student employees often are "an indispensable ingredient in the financial calculations of every major university."¹¹ For this reason of being seen as "an indispensable ingredient" by university administrators, graduate student employees nationally organized and campaigned for unionization in the name of fairness and justice for decent livable wages, decent healthcare coverage, grievance procedures and better working conditions.

Currently there are 31 recognized graduate employee unionization in different academic institutions and university systems. These graduate employees organization are the following:

1 Teaching Assistants' Association -- University of Wisconsin, Madison
2 Rutgers Council of AAUP Chapters -- Rutgers University
3 Graduate Employees Organization -- University of Michigan
4 Graduate Teaching Fellows Federation -- University of Oregon
5 Graduate Assistants United -- University of Florida
6 Graduate Assistants United -- University of South Florida
7 Graduate Assistants United -- Florida Agricultural & Mechanical University
8 Graduate Employee Organization -- University of Massachusetts, Amherst
9 Milwaukee Graduate Assistants' Association -- University of Wisconsin, Milwaukee
10 Graduate Student Employees Union -- State University of New York System
11 Graduate Employee Organization -- University of Massachusetts, Lowell

⁸ Coalition on the Academic Workforce, "One Faculty Serving All Students: An Issue Brief by the Coalition on the Academic Workforce, February 2010" <http://www.academicworkforce.org/> (accessed February 3, 2012).

⁹ Gordon Lafer, "Organizing Graduate Students," Dissent, (Foundation for the Study of Independent Social Ideas, 2001), 4.

¹⁰ Ibid.

¹¹ Ibid.

12 Graduate Teaching Assistants' Coalition -- University of Kansas, Lawrence
13 Campaign to Organize Graduate Students -- University of Iowa
14 Graduate Employees Organizing Committee -- Wayne State University
15 UAW Local 2865 -- University of California System
16 Coalition of Graduate Employees -- Oregon State University
17 Graduate Students Organizing Committee -- New York University
18 Graduate Employee Organization -- University of Massachusetts Boston
19 Temple University Graduate Students Association -- Temple University
20 Graduate Employees Union -- Michigan State University
21 Graduate Assistants United -- University of Rhode Island
22 Graduate Employees Organization -- University of Illinois, Urbana-Champaign
23 UAW Local 4121 -- University of Washington, Seattle
24 Graduate Employees Organization -- University of Illinois, Chicago
25 UAW Local 4123 -- California State University System
26 Association of Graduate Employees -- University of Illinois, Springfield
27 Teaching Assistants Union -- Western Michigan University
28 Graduate Assistants United -- Southern Illinois University, Carbondale
29 Graduate Assistants United -- Florida State University
30 Stony Brook RA Union -- Stony Brook Research Foundation
31 Graduate Student Union -- Central Michigan University

Figure 1 List of Recognized Graduate Employee Organizations in the US.¹²

The impact of existing graduate student employee organizations vary from state to state and campus to campus. These organizations, recognized as unions in their respective university and state, have equal collective bargaining rights as any faculty, staff, and other university personnel. In a period of economic instability, the rights of academic workers such as graduate student employees must be protected and guaranteed. These rights include, but not limited to: the right to a livable wage, the right to affordable healthcare coverage for workers and their families, the right to better working conditions, and the right to a grievance process without fear of reprisal from university administrators, faculty, staff, and other university personnel.

The unionization of graduate student employees at universities who recognized their collective bargaining rights did not cost the university more money nor decreased the assistantships offered. In fact:

The data from [University of Illinois, Urbana-Champaign] UIUC shows that there is little correlation between providing good pay and benefits to grads and decreasing the number of assistantships. In 2002, prior to grads winning the bulk of the economic benefits, the University of Illinois greatly reduced the number of TAships available. The evidence from unionized campuses like

¹² List of recognized graduate employee organizations from Coalition of Graduate Employee Unions. Retrieved on February 3, 2012. CGEU website: http://cgeu.org/wiki/index.php/Recognized_Graduate_Employee_Unions_in_the_USA

the Universities of Wisconsin and Michigan shows that fair pay and benefits do not result in a decline in the number of assistantships. University of Wisconsin graduate employees bargained union contracts between 1970 and 1979, but the UW administration refused to bargain from 1979 to 1987. UW Teaching Assistants and Project Assistants won union rights again in 1987 and have bargained regular contracts since 1988. Since 1988 the number of assistantships at the UW has actually gone up at from 2,373 to 2,839. At University of Michigan TAs and Staff Assistants won their first contract in 1975 when there were 1,200 employees. In 2000 there were 1,650 assistants.¹³

The economic trend and benefits increase at University of Wisconsin and University of Michigan, both public institutions and unionized campuses, give us a positive overview on the economic impact of graduate student employee unionization in public universities. The budgets for graduate assistantships are always changing. The impact of a university's financial decision on budget cuts has more of an impact to the quality and quantity of education provided by university members to enrolled students. Nevertheless, university members who have collective bargaining rights set to have more of an advantage compared to their non-collective bargaining rights counterpart.

University of Hawaii's Graduate Student Employees Exploitation

HB2859 is in the best interest for current and future graduate student employees at the University of Hawaii. The educational setting of University of Hawaii has changed and waned over the years—most recently due to major budget cuts. During uncertain economic times, graduate student employees without collective bargaining rights are left to carry the burden of teaching classes with double the class size of students and working beyond the required maximum hours—thus, leading to unfair labor practices and labor exploitation of graduate student employees.

University of Hawaii at Manoa's budget cuts during Fall 2009 increased in larger class sizes and increasing faculty workload, which led the faculty union to file a complaint to Hawaii State Labor Board against UH administration for unfair increase of faculty workload.¹⁴ **University of Hawaii's faculty and staff not satisfied with the double class sizes, through their union, may file a grievance and complain to the state labor board. However, graduate student employees who are teaching assistants teach large class sizes, are also affected by the unfair increase of graduate assistantship workload, *but they have no place that***

¹³ Graduate Student Employees' Organization, University of Illinois, Urbana-Champaign, IFT/AFT Local 6300 AFL-CIO, <http://www.uigeo.org/faq/#Sciences> (accessed February 3, 2012).

¹⁴ "Budget Cuts Force Larger Class Sizes At UH", <http://www.kitv.com/news/20678226/detail.html> (accessed February 3, 2012).

will represent them and serve in their best interests as employees to go to file a grievance or complaint.

On April 14, 2011, at the Graduate Student Organization's General Assembly meeting, Hawaiian Studies graduate students who are teaching assistants presented and shared with the general assembly their grievances and increase in their workload. From GSO's General Assembly minutes the presentation was shared:

Hawaiian Studies Presentation

- Here to talk about grievances of Hawaiian Studies graduates. In Hawaiian Studies dept., GTAs teach 2 classes automatically. One GTA had a class cancelled due to low enrollment and the department gave her 10 extra hours of work. They realized they were at the top tier of the workload. They filed a grievance in March 2010. At the start of the fall semester, they were told it would be fixed by the next semester but then 2 other students had the same issue.
- In December they began receiving retaliation from the Dean, this retaliation has happened multiple times and has been documented.
- HS program reworked the Fall 2011 schedule to show they are in compliance, but they have multiple placeholders who will not actually teach. This has sidelined the GTA protests by creating an appearance of compliance when, come fall, GTAs will be assigned these classes.
- There are myths of economic hardship, that other departments and other universities are using the same practices. The reality is that they are working 40 hours instead of 20, and this is in violation of their own regulations. Professors teaching two classes are considered fulltime. GTAs teaching two classes are considered half time. Why?
- Grad Division is supposed to check over department workload and hiring of GTAs to make sure they are in compliance, but it doesn't actually work that way.
- The reality is that graduate students are transient, they are dependent on the professors. In the past 14 years, not a single graduate employee grievance has been won, and some GTAs have been fired. With academic grievances, students have power, but as employees, we have none.
- Solutions: Request a GSO resolution in support of the GTAs; that the department follow their own regulations; demand a grievance process that is free from threat, intimidation, and retaliation; create a Graduate Student Bill of Rights. Will present this and other resolutions of support at the BOR meeting.¹⁵

As graduate student governance, Graduate Student Organization had no other options in assisting our fellow graduate student employees. By the end of 2008-2009 academic-year, the Office of Ombuds at University of Hawaii at Manoa was eliminated due to "budget cuts." The UH-Manoa Ombudsman was Dr. Neal Milner, a Political Science Professor. The Office of Ombuds "provided an impartial,

¹⁵ Minutes from Graduate Student Organization's General Assembly Meeting on April 14, 2011 at Campus Center Ballroom at University of Hawaii-Manoa's campus, <http://gso.hawaii.edu/gso2/resources.html> (accessed February 3, 2012).

confidential, informal problem-solving assistance to students, faculty, and staff.”¹⁶ The Office of Ombuds was the only place for graduate student employees who do not have any collective bargaining rights to go to file a grievance against an employer (faculty, staff or administrator) for unfair increase of graduate assistantship workload, unprofessional conduct, workplace disputes, violation of UHM policies, protecting your reputation, and threats of retaliation.¹⁷

In the last Office of Ombuds’ Annual Report of 2008-09, the ombuds office handled 338 cases and employment issues being a highest percentage of concerns compared to academic.¹⁸ The impact of UH budget cuts and the elimination of the ombuds office took away the only impartial, confidential option to access a grievance process for graduate student employees, thus leaving graduate student employees more vulnerable to labor exploitation.

HB2859 is a bill that provides the first steps to the protection of graduate student employees’ rights and education. HB2859 is a step to improve the quality of our working conditions, access to affordable healthcare coverage, access to better working conditions, access to grievance process due to unfavorable and exploitative labor practices, access to livable wage, and most of all access to ensure protection for workers and their families.

Therefore, I urge the committee to please PASS HB2859. Thank you.

¹⁶ The Office of Ombuds, University of Hawaii at Manoa, <http://manoa.hawaii.edu/ombuds/whatdoesanombudsdo.html> (accessed February 3, 2012)

¹⁷ Ibid.

¹⁸ Office of Ombuds’ Annual Report of 2008-09, University of Hawaii at Manoa, <http://manoa.hawaii.edu/ombuds/annualreports.html> (accessed February 3, 2012).

To: House Committee on Higher Education
Representative Scott Nishimoto, Chair
Representative Mark Nakashima, Vice Chair
Conference Room 309, February 14, 2012

From: Brian Alofaituli, M.A.
brian.alofaituli@hawaii.edu (email)

Testimony for HB2859 – Strong Support

My name is Brian Alofaituli and I am in support of House Bill 2859. I work for the Athletic Department as an academic mentor and tutor for athletes from various UH teams. I am a PhD student in Pacific History at the University of Hawaii at Manoa. I am an active member of the community here at the university. In addition, I am also affiliated with the East-West Center as an alumni scholar recipient.

I know that if this Bill is passed I will be in a better position to strengthen the UH Athletics Department as one of its graduate students employees. The HB2859 Bill will protect graduate student employee rights and education. This Bill will not only improve the quality of the working conditions, but it can provide us access to affordable healthcare coverage and access to livable wages. As an active member of the Samoan community, I value this kind of equality. This is one issue I find very important and I strongly support.

We urge your committee to please pass HB2859. Thank you.

nakashima2 - Susie

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 12, 2012 5:06 PM
To: HEDtestimony
Cc: Misskook@gmail.com
Subject: Testimony for HB2859 on 2/14/2012 2:00:00 PM

Testimony for HED 2/14/2012 2:00:00 PM HB2859

Conference room: 309
Testifier position: Support
Testifier will be present: No
Submitted by: Hannah kook
Organization: Individual
E-mail: Misskook@gmail.com
Submitted on: 2/12/2012

Comments:
Strongly support this bill (kaimuki resident)

Laura Kati Corlew
2637 Kuilei St., A51
Honolulu, HI 96826

Re: Testimony IN SUPPORT OF HB 2859

Dear Committee Members,

Respectfully, I would like to submit my testimony IN SUPPORT OF HB 2859. It is my belief that in this strong union state, graduates student workers should have the same rights as other state workers, including the right to unionize. Our lack of organizing power has not served us well. For example, graduate student workers have not received a raise in 8 years. Graduate students are tax-payers in Hawai`i, and many of us are residents and voters. We live here for an extended period of time and invest ourselves in the community. We are highly invested in the university system, pouring in countless hours of work for many years to receive our high quality education and degrees. I believe very strongly in this bill, and would like to ask you to pass it through committee. Thank you for SUPPORTING HB 2859.

Aloha,
Laura Kati Corlew, M.A.
PhD Candidate, Psychology Department
University of Hawai`i, Mānoa
Hawai`i resident and registered voter

nakashima2 - Susie

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 12, 2012 7:10 PM
To: HEDtestimony
Cc: johnswhee@hawaii.edu
Subject: Testimony for HB2859 on 2/14/2012 2:00:00 PM

Testimony for HED 2/14/2012 2:00:00 PM HB2859

Conference room: 309
Testifier position: Support
Testifier will be present: No
Submitted by: John A. Sweeney
Organization: Individual
E-mail: johnswhee@hawaii.edu
Submitted on: 2/12/2012

Comments:

Dear committee members,

I am writing in support of HB 2859. Graduate students at UHM shoulder an extraordinary burden in undertaking their studies that has not been justly compensated as GA's have not received any raise in pay since 2004. HB 2859 offers graduate students the opportunity to receive the same benefits as other citizens, especially those who rely upon union representation for fair and adequate treatment. Please move this bill forward in support of the university, the students, and the state.

Mahalo nui for your time and consideration.

with much aloha,

john

Please support HB2859 to allow the unionization of graduate students. The overwhelming effect of the University of Hawaii's system-wide and campus-wide budget cuts on graduate students need to be addressed now. At the state level, legislators must take action immediately to ensure our rights as state employees for better working conditions and salary increase. Graduate students have not received a salary increase since 2004, and we are, for some mysterious and inconceivable reason, classified as "student help." I can see the word "student help" being applied to undergraduates working at an hourly rate, with strict schedules, but I know from personal experience that graduate research assistants do much more than what is written in the job requirement. As a graduate research assistant (GRA) with the Public Policy Center at the University of Hawai'i of Manoa, I know that the amount of work and effort I put in is more than that of a "student help." But if you insist on calling us that, I would like to explain to you the things we do.

I work well beyond the required 20 hour per week schedule because of how much my boss relies on me to get things done. Excuses such as "I've already worked 20 hours" do not cut it. I have to work as many hours as necessary to get the assigned tasks done. And not just done, but *well* done. People expect much higher quality work and attention to detail in graduate students, and I must live up to that expectation. Not only that, but graduate assistants are called upon to do other things beyond the job requirement; we must answer to our boss' every needs. In that sense, we earn relatively low wages and work very long hours. Our labor is easily exploited and we have no recourse of action for a grievance process to advocate for our workers' rights and education.

I love my job and I love the people I work with. I am incredibly grateful to have been hired for this job and I know I am very fortunate to be funded during my graduate studies. However, there are certain issues that need to be addressed, such as the limited and expensive health care plans we are given.

Our current collective bargaining laws are out of date and prohibit us to form and/or join a union as graduate student workers at public state universities. Please update our collective bargaining laws by removing student help from the list of individuals prohibited from inclusion in any appropriate collective bargaining unit.

We, the voters, deserve the right to unionize as state employees because we sure do work hard to keep things running smoothly. *Please support HB2859!*

Thank you very much for your time,

Penn Pantumsinchai

nakashima2 - Susie

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 12, 2012 8:15 PM
To: HEDtestimony
Cc: Guterres@hawaii.edu
Subject: Testimony for HB2859 on 2/14/2012 2:00:00 PM

Testimony for HED 2/14/2012 2:00:00 PM HB2859

Conference room: 309
Testifier position: Support
Testifier will be present: No
Submitted by: Jonas Guterres
Organization: Individual
E-mail: Guterres@hawaii.edu
Submitted on: 2/12/2012

Comments:
Support this bill please!

nakashima2 - Susie

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 12, 2012 8:18 PM
To: HEDtestimony
Cc: Ayakapple@gmail.com
Subject: Testimony for HB2859 on 2/14/2012 2:00:00 PM

Testimony for HED 2/14/2012 2:00:00 PM HB2859

Conference room: 309
Testifier position: Support
Testifier will be present: No
Submitted by: Ayaka Nakaja
Organization: Individual
E-mail: Ayakapple@gmail.com
Submitted on: 2/12/2012

Comments:
Please support this bill!

nakashima2 - Susie

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 12, 2012 8:27 PM
To: HEDtestimony
Cc: Elouis@hawaii.edu
Subject: Testimony for HB2859 on 2/14/2012 2:00:00 PM

Testimony for HED 2/14/2012 2:00:00 PM HB2859

Conference room: 309
Testifier position: Support
Testifier will be present: No
Submitted by: Elizabeth Louis
Organization: Individual
E-mail: Elouis@hawaii.edu
Submitted on: 2/12/2012

Comments:

nakashima2 - Susie

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 12, 2012 8:29 PM
To: HEDtestimony
Cc: Wmiles@hawaii.edu
Subject: Testimony for HB2859 on 2/14/2012 2:00:00 PM

Testimony for HED 2/14/2012 2:00:00 PM HB2859

Conference room: 309
Testifier position: Support
Testifier will be present: No
Submitted by: Wendy Miles
Organization: Individual
E-mail: Wmiles@hawaii.edu
Submitted on: 2/12/2012

Comments:
Strong support from Geography Department

nakashima2 - Susie

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 12, 2012 10:02 PM
To: HEDtestimony
Cc: ilara@mail.sdsu.edu
Subject: Testimony for HB2859 on 2/14/2012 2:00:00 PM

Testimony for HED 2/14/2012 2:00:00 PM HB2859

Conference room: 309
Testifier position: Support
Testifier will be present: No
Submitted by: Irene Lara
Organization: Individual
E-mail: ilara@mail.sdsu.edu
Submitted on: 2/12/2012

Comments:

I am writing in support of HB2859. This bill will revamp graduate student's ability to mobilize as state employees, currently prohibited due to their classification as "student help." The overwhelming affect of the University of Hawaii's system-wide and campus-wide budget cuts on graduate students need to be addressed now. At the state level, legislators should take action immediately to ensure their rights as state employees for better working conditions and salary increase.

12 February 2012

Dear House of Representatives,

I am writing to ask that you vote in favor of HB2859, the bill which would give graduate student employees the ability to bargain for fair and appropriate student salaries.

It has been over 7 years since students working as graduate assistant have had a salary increase, however, the cost of living has continued to increase every year. Currently, students have no effective way to negotiate for a much-needed salary increase. HB2859 would change that.

The lack of value put in students (in the form of a respectable amount of pay) discourages many exceptional students from enrolling at UH, and also reduces retention rates for students because many cannot afford to live on the meager wages they earn.

Please recognize the necessity and value of passing this bill.

Thank you for your time.

Sincerely,

Chai Blair-Stahn
Graduate Student, Pacific Island Studies, UH Mānoa

nakashima2 - Susie

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 12, 2012 10:50 PM
To: HEDtestimony
Cc: lasha@hawaii.edu
Subject: Testimony for HB2859 on 2/14/2012 2:00:00 PM

Testimony for HED 2/14/2012 2:00:00 PM HB2859

Conference room: 309
Testifier position: Support
Testifier will be present: No
Submitted by: Iasha King
Organization: Individual
E-mail: Iasha@hawaii.edu
Submitted on: 2/12/2012

Comments:

nakashima2 - Susie

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 12, 2012 10:51 PM
To: HEDtestimony
Cc: larsono@hawaii.edu
Subject: Testimony for HB2859 on 2/14/2012 2:00:00 PM

Testimony for HED 2/14/2012 2:00:00 PM HB2859

Conference room: 309
Testifier position: Support
Testifier will be present: No
Submitted by: Larson Oliva
Organization: Individual
E-mail: larsono@hawaii.edu
Submitted on: 2/12/2012

Comments:
Pass the bill!

nakashima2 - Susie

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 12, 2012 10:58 PM
To: HEDtestimony
Cc: ckobata0524@yahoo.com
Subject: Testimony for HB2859 on 2/14/2012 2:00:00 PM

Testimony for HED 2/14/2012 2:00:00 PM HB2859

Conference room: 309
Testifier position: Support
Testifier will be present: No
Submitted by: Casey Kobata
Organization: Individual
E-mail: ckobata0524@yahoo.com
Submitted on: 2/12/2012

Comments:
Please pass the bill!

nakashima2 - Susie

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 12, 2012 11:21 PM
To: HEDtestimony
Cc: Masadi@hawaii.edu
Subject: Testimony for HB2859 on 2/14/2012 2:00:00 PM

Testimony for HED 2/14/2012 2:00:00 PM HB2859

Conference room: 309
Testifier position: Support
Testifier will be present: No
Submitted by: Meysam asadi
Organization: Individual
E-mail: Masadi@hawaii.edu
Submitted on: 2/12/2012

Comments:
Strongly support

nakashima2 - Susie

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 13, 2012 12:00 AM
To: HEDtestimony
Cc: Amjol@hawaii.edu
Subject: Testimony for HB2859 on 2/14/2012 2:00:00 PM

Testimony for HED 2/14/2012 2:00:00 PM HB2859

Conference room: 309
Testifier position: Support
Testifier will be present: No
Submitted by: Amjol Shrestha
Organization: Individual
E-mail: Amjol@hawaii.edu
Submitted on: 2/12/2012

Comments:
Strongly support.

nakashima2 - Susie

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 13, 2012 12:08 AM
To: HEDtestimony
Cc: Zubinpiya@hotmail.com
Subject: Testimony for HB2859 on 2/14/2012 2:00:00 PM

Testimony for HED 2/14/2012 2:00:00 PM HB2859

Conference room: 309
Testifier position: Support
Testifier will be present: No
Submitted by: Zubin Piya
Organization: Individual
E-mail: Zubinpiya@hotmail.com
Submitted on: 2/13/2012

Comments:
Support grad student employees!

nakashima2 - Susie

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 13, 2012 12:14 AM
To: HEDtestimony
Cc: Glendad@hawaii.edu
Subject: Testimony for HB2859 on 2/14/2012 2:00:00 PM

Testimony for HED 2/14/2012 2:00:00 PM HB2859

Conference room: 309
Testifier position: Support
Testifier will be present: No
Submitted by: Glenda duldulao
Organization: Individual
E-mail: Glendad@hawaii.edu
Submitted on: 2/13/2012

Comments:
Pls support grad employees.

nakashima2 - Susie

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 13, 2012 4:46 AM
To: HEDtestimony
Cc: lgray14@jhmi.edu
Subject: Testimony for HB2859 on 2/14/2012 2:00:00 PM

Testimony for HED 2/14/2012 2:00:00 PM HB2859

Conference room: 309
Testifier position: Support
Testifier will be present: No
Submitted by: Lawrence Gray
Organization: Individual
E-mail: lgray14@jhmi.edu
Submitted on: 2/13/2012

Comments:

Nation wide, Graduate students are being exploited as cheap labor. It is time that the bright minds are rewarded for their contribution to society. I encourage the passing of this bill, so that Graduates have the right to collectively bargain for better wages and work conditions.

nakashima2 - Susie

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 13, 2012 5:54 AM
To: HEDtestimony
Cc: lennybean3@hotmail.com
Subject: Testimony for HB2859 on 2/14/2012 2:00:00 PM

Testimony for HED 2/14/2012 2:00:00 PM HB2859

Conference room: 309
Testifier position: Support
Testifier will be present: No
Submitted by: Lena Schmidt
Organization: Individual
E-mail: lennybean3@hotmail.com
Submitted on: 2/13/2012

Comments:

Since 2004 there has been no pay increase, yet with the rising cost of living, taxes, and tuition, graduate students work long hours at low pay. Thus, as workers, graduate student labor is easily exploited and without a union graduate students have no recourse for action or a grievance process to advocate for workers rights.

nakashima2 - Susie

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 13, 2012 7:52 AM
To: HEDtestimony
Cc: adonahu3@kennesaw.edu
Subject: Testimony for HB2859 on 2/14/2012 2:00:00 PM

Testimony for HED 2/14/2012 2:00:00 PM HB2859

Conference room: 309
Testifier position: Support
Testifier will be present: No
Submitted by: Amy Donahue
Organization: Individual
E-mail: adonahu3@kennesaw.edu
Submitted on: 2/13/2012

Comments:
Aloha,

As a former State of Hawai`i graduate student worker, I strongly urge you to support HB2859. Hawaii's public universities today do not and cannot operate without the work of students, not only as junior members of Hawaii's learning communities, but also as employees. I worked for the State of Hawai`i for 6 years, from 2003 until 2009, as a graduate assistant teaching the state's college students and as a graduate assistant managing an interdisciplinary academic center. The state's current collective bargaining laws deny students equal treatment relative to other state workers, and, as a result, hurt these workers in negotiations with university administrators, full-time non-student faculty, and other campus units. This disadvantage that the state's current collective bargaining laws impose on student workers is clearly evidenced by relatively stagnant pay, a relative lack of safe avenues for resolving employment disputes, a relative lack of central attention to and monitoring of workloads and expectations, and a relative lack of workers' benefits, such as affordable health insurance options.

As an educator at UH-Mānoa, I designed course syllabi, instructed students, held regular office hours, prepared and selected instructional materials, and graded all assignments. In most contexts, I was not "student help" or an apprentice, but a college-level instructor. Only three of the ten classes that I taught at UH were directly supervised, and in these few cases, I received a total of only two in-class teaching reviews. In all other respects, I was held to expectations, and worked, in ways that did not differ from other college instructors whom the state pays an equitable and livable wage. Graduate student workers at UH are primarily employees, in other words, not merely "student help" or apprentices, and one would have to either commit oneself to theoretical abstractions that are utterly and actively out of touch with ground-level realities, or lie, to claim the contrary.

As a graduate assistant Program Coordinator for an interdisciplinary academic center, I organized three annual international symposia, managed the Center's internet presence, designed and built a supplemental web portal, designed, wrote, and edited three annual newsletters, organized travel and lodging for visiting scholars, processed payments and reimbursements, organized and implemented advertising and marketing campaigns for center events, organized semesterly colloquia series, processed annual scholarship applications, organized and personally ordered, picked up, and delivered food and refreshments for semesterly social events, and answered phones, responded to emails, and supervised other graduate and undergraduate student employees on a daily basis. Again, as a graduate student employee, UH treated me and held me to expectations that confirmed my status, in practice if

not in the rarefied world of theory, primarily as an employee, and not as "student help" or an apprentice.

While performing these tasks, I earned approximately \$15,000 per year, the same each year, and paid nearly \$300 per month for health insurance. During the same period, my rent increased approximately 35 per cent, along with prices of food, electricity, gas, and education. The longer I worked for the state, the less I made, and, consequently, the more I borrowed. After working hard and barely scraping by for six years in near poverty conditions, I graduated about six figures in debt.

Again, I respectfully urge you to demonstrate your compassion and commitment to fair play by supporting HB 2859. The difference between student employees and others whom Hawaii's collective bargaining laws protect rests not in the work we do, but in the state's inequitable treatment of us, and in the precarious personal and financial conditions that we endure as a result. Unless one prefers to take the radical, and radically unpopular, position that unions are invariably bad or regressive, and that all collective bargaining rights should be opposed, the only grounds one can possibly have for refusing this call for equal worker protections, it respectfully seems to me, is active, abstracted, pie-in-the-sky indifference.

Mahalo for supporting HB 2859.

Sincerely,

Amy Donahue, Ph.D.
Temporary Assistant Professor
Department of History and Philosophy
Kennesaw State University
Kennesaw, GA 30144

nakashima2 - Susie

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 13, 2012 7:52 AM
To: HEDtestimony
Cc: kferguso@hawaii.edu
Subject: Testimony for HB2859 on 2/14/2012 2:00:00 PM
Attachments: support collective bargaining.docx

Testimony for HED 2/14/2012 2:00:00 PM HB2859

Conference room: 309
Testifier position: Support
Testifier will be present: No
Submitted by: Kathy Ferguson
Organization: Individual
E-mail: kferguso@hawaii.edu
Submitted on: 2/13/2012

Comments:

I fully support the bill enabling the unionization of graduate students. They are a crucial part of the university's work force, yet they have no collective bargaining rights and are easily exploited. Their unionization activities offer an excellent example to undergraduates by showing how workers can pool their collective strength to improve the lot of their individual members. Also, many of these graduate students will take positions in unionized organizations, and the students' will benefit from having experience in organizing, articulating positions, bargaining, and seeking effective compromises.

Thank you.

Kathy E. Ferguson
Professor
Departments of Political Science & Women's Studies

Monday, February 13, 2012

The Honorable Scott Y. Nishimoto
House Committee on Higher Education
Re: Support for HB2859, Relating to Collective Bargaining

Mr. Chairman and Members of the Committee:

Thank you for this opportunity to testify in support of HB2859. As a graduate assistant, my monthly take-home is \$924. As I am sure you realize, this is not enough to cover the cost of living in Honolulu, the second most expensive city in the US. On top of this, we are expected to attend academic conferences for which travel expenses are often not covered.

Graduate assistants have not received a pay increase since 2004, even though the cost of living continues to increase. Currently, the cheapest graduate student housing and meal plan offered by the University is more than my annual salary.

Graduate assistantships prevent us from being able to seek additional employment to supplement our income; therefore many of us have to take out additional student loans. Last year, I spent fifty to sixty hours per week in lab even though this is supposed to be a twenty hour a week job.

Because we are not allowed to unionize, we essentially have no voice when it comes to asking the University for a more reasonable salary and for enforcement of the limits on work that can be asked of us. For these reasons, I ask that you pass HB2859 so that we may organize effectively and hopefully garner some rights for graduate assistants.

Mahalo nui loa,

Samantha O'Hanlon
Graduate Assistant
UH Mānoa, Department of Psychology
2530 Dole Street, Sakamaki C 400
Honolulu, HI 96822-2294

nakashima2 - Susie

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 13, 2012 10:30 AM
To: HEDtestimony
Cc: Leipold@hawaii.edu
Subject: Testimony for HB2859 on 2/14/2012 2:00:00 PM

Testimony for HED 2/14/2012 2:00:00 PM HB2859

Conference room: 309
Testifier position: Support
Testifier will be present: No
Submitted by: Naomi leipold
Organization: Individual
E-mail: Leipold@hawaii.edu
Submitted on: 2/13/2012

Comments:
Support grad student workers

nakashima2 - Susie

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 13, 2012 10:33 AM
To: HEDtestimony
Cc: Yanjunc@hawaii.edu
Subject: Testimony for HB2859 on 2/14/2012 2:00:00 PM

Testimony for HED 2/14/2012 2:00:00 PM HB2859

Conference room: 309
Testifier position: Support
Testifier will be present: No
Submitted by: Yanjun Cai
Organization: Individual
E-mail: Yanjunc@hawaii.edu
Submitted on: 2/13/2012

Comments:

Strong support from a UHM Department of Urban & Regional Planning PhD student and graduate assistant.

nakashima2 - Susie

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 13, 2012 12:35 PM
To: HEDtestimony
Cc: 2dissent@gmail.com
Subject: Testimony for HB2859 on 2/14/2012 2:00:00 PM

Testimony for HED 2/14/2012 2:00:00 PM HB2859

Conference room: 309
Testifier position: Support
Testifier will be present: No
Submitted by: Matthew B. Romain
Organization: Individual
E-mail: 2dissent@gmail.com
Submitted on: 2/13/2012

Comments:

Just as Justice and equality demands that students would have a right to organize and bargain for better wages in jobs worked outside the University; so to justice demands that such a right be given to working students inside the University...

Aloha,

I am a graduate student at the University of Hawaii at Manoa. I am writing to support this bill, enabling graduate students to form a union to demand justly, and rightfully the ability to negotiate fair working conditions.

In these tough and difficult economic times graduate students face economic challenges that make school and work a difficult balance. Often many graduate students will take on another job in addition to the Graduate assistantships. The low-wage salary is not adequate to cover the cost of living in Hawaii—one of the highest in the nation. If one were to break down the hours we put in, formally and informally, one would realize that the hourly wage is below the minimum wage of the state.

We only ask for the right, as any other worker of the state, that graduate students have the right to peacefully and respectfully assemble as a union so that our voices are taken as a collective, one that aspires to be treated with the basic human rights, with dignity and sustenance.

I pray that the blessings of our ancestors, the wisdom of the land, and the grace of God help you in discerning a society based on equality, respect, and sacredness.

Mahalo,

Jeffrey Tangonan Acido

nakashima2 - Susie

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 13, 2012 12:58 PM
To: HEDtestimony
Cc: mmalam@hawaii.edu
Subject: Testimony for HB2859 on 2/14/2012 2:00:00 PM

Testimony for HED 2/14/2012 2:00:00 PM HB2859

Conference room: 309
Testifier position: Support
Testifier will be present: No
Submitted by: Mohammad Masudul Alam
Organization: University of Hawaii at Manoa
E-mail: mmalam@hawaii.edu
Submitted on: 2/13/2012

Comments:

Dear Sir/Madam,

I am a graduate student at the University of Hawaii at Manoa. I am doing graduate assistance (GA) to support my family needs in addition to paying my tuition fees. However, being an international student I found difficulties in living in Honolulu with the earning from GA. The amount I receive as GA is not enough to meet my basic needs. Moreover, I became informed that the salary has not revised for the last 5 or more years. On the other hand, living expenses are rising. Though I am well informed about the current economic recession, yet there is a clear need for revising the salary structure for the students who work only 20 hours per week to meet their basic needs. Thus, I strongly support this bill to be passed for the wellbeing of the students.

Regards

nakashima2 - Susie

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 13, 2012 1:11 PM
To: HEDtestimony
Cc: laverneaffair@gmail.com
Subject: Testimony for HB2859 on 2/14/2012 2:00:00 PM
Attachments: By supporting this measure HB2859 it will allow more equality and give back the rights to all the hard working graduate students at University of Hawai.doc

Testimony for HED 2/14/2012 2:00:00 PM HB2859

Conference room: 309
Testifier position: Support
Testifier will be present: No
Submitted by: Trish Vasta
Organization: Individual
E-mail: laverneaffair@gmail.com
Submitted on: 2/13/2012

Comments:

By supporting this measure HB2859 it will allow more equality and give back the rights to all the hard working graduate students at University of Hawai'i.

Lori Hasegawa

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 13, 2012 2:14 PM
To: HEDtestimony
Cc: sstoker@hawaii.edu
Subject: Testimony for HB2859 on 2/14/2012 2:00:00 PM

Testimony for HED 2/14/2012 2:00:00 PM HB2859

Conference room: 309
Testifier position: Support
Testifier will be present: Yes
Submitted by: Spring Storm Stoker
Organization: Individual
E-mail: [sstoker@hawaii.edu](mailto:ssstoker@hawaii.edu)
Submitted on: 2/13/2012

Comments:

I am an APT (Administrative Professional Technical) Full time employee at UH Manoa, and I support students in their right to have collective bargaining. I am part of a union and think they should have that right as well.

Lori Hasegawa

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 13, 2012 2:07 PM
To: HEDtestimony
Cc: shimona@hawaii.edu
Subject: Testimony for HB2859 on 2/14/2012 2:00:00 PM
Attachments: TESTIMONIAL FOR HB2859.txt

Testimony for HED 2/14/2012 2:00:00 PM HB2859

Conference room: 309
Testifier position: Support
Testifier will be present: No
Submitted by: SHIMONA QUAZI
Organization: Individual
E-mail: shimona@hawaii.edu
Submitted on: 2/13/2012

Comments:

This testimonial is in support of HB 2859 RELATING TO COLLECTIVE BARGAINING, to exclude student help from the list of state employees statutorily barred from inclusion in any appropriate collective bargaining unit. I am a PhD student in the Department of Botany at the University of Hawaii at Manoa. I will graduate this year, but am speaking for my colleagues and future graduate students who stand to benefit from this bill. As graduate student workers, we often bear the brunt of time and labor involved in teaching Hawaii's state university students. We as graduate students enter advanced study with an aim to improve society through learning and improving our collective knowledge. Whether we remain in teaching or not after obtaining our degrees, a large number graduate students support ourselves during this time by working as teachers. Yet salaries have not increased since I began my PhD in 2006, and I am now almost ready to graduate. We are still barred from forming unions to protect our wages and working conditions. Even though as employees of the state we give our time and effort in its service, we are not granted the rights as full state employees. The rule that classifies graduate student workers as ineligible for inclusion in any collective bargaining unit is completely out of date, and is a strong deterrent for students to seek work as graduate students. This will create an even bigger strain on Hawaii's future generations of students at every level. Please take a long view on the future of public education in Hawaii and vote to pass HB2859.

Mahalo for your time and consideration.

Shimona Annoor Quazi
PhD Candidate, Department of Botany
University of Hawai'i at Manoa
Graduate Degree Fellow, East-West Center

nakashima2 - Susie

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 13, 2012 2:38 PM
To: HEDtestimony
Cc: btgs@hawaii.edu
Subject: Testimony for HB2859 on 2/14/2012 2:00:00 PM

Testimony for HED 2/14/2012 2:00:00 PM HB2859

Conference room: 309
Testifier position: Support
Testifier will be present: No
Submitted by: Ben schrader
Organization: Individual
E-mail: btgs@hawaii.edu
Submitted on: 2/13/2012

Comments:

Strong support from a UHM Department PhD student and graduate assistant. The ability to unionize is a fundamental right that should be upheld at all levels of government! Please pass this bill!

nakashima2 - Susie

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 13, 2012 2:52 PM
To: HEDtestimony
Cc: petrasek@hawaii.edu
Subject: Testimony for HB2859 on 2/14/2012 2:00:00 PM

Testimony for HED 2/14/2012 2:00:00 PM HB2859

Conference room: 309
Testifier position: Support
Testifier will be present: No
Submitted by: Matthew Petrasek
Organization: Individual
E-mail: petrasek@hawaii.edu
Submitted on: 2/13/2012

Comments:

I am an undergraduate student employee at UH Manoa. I fully support the graduate students of UH on this measure. I have seen firsthand how they work very hard, very long hours way beyond the supposed 20 hours/week they are contracted to work. How can you consider them in the same category as wards of the state and prisoners? One of our greatest rights in the US has been the right to unionize, and this needs to happen for the graduate students of the UH system.

nakashima2 - Susie

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 13, 2012 3:29 PM
To: HEDtestimony
Cc: esmacher@hawaii.edu
Subject: Testimony for HB2859 on 2/14/2012 2:00:00 PM

Testimony for HED 2/14/2012 2:00:00 PM HB2859

Conference room: 309
Testifier position: Support
Testifier will be present: No
Submitted by: Melissa Esmacher
Organization: Individual
E-mail: esmacher@hawaii.edu
Submitted on: 2/13/2012

Comments:

I was a teaching assistant at UH from 2007-2010. I feel that graduate students should be allowed to unionize. Ostensible protection under the faculty union is not enough; graduate student workers need to be able to represent themselves and address issues that are pertinent to them. Many graduate students who work as teaching assistants and research assistants at UH struggle to pay the bills on their meager stipends and are forced to take out student loans to cover cost of living; time constraints and department policies often prohibit holding second jobs. The disparity in pay is especially stark when UH is compared to mainland schools, where graduate students make the same or higher wages but face much lower costs of living. Graduate students should be allowed to have a say in salary negotiations and workplace conditions that affect them, and unionization will give them that voice.

nakashima2 - Susie

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 13, 2012 4:28 PM
To: HEDtestimony
Cc: Soyland@hawaii.edu
Subject: Testimony for HB2859 on 2/14/2012 2:00:00 PM

Testimony for HED 2/14/2012 2:00:00 PM HB2859

Conference room: 309
Testifier position: Support
Testifier will be present: No
Submitted by: Ben soyland
Organization: Individual
E-mail: Soyland@hawaii.edu
Submitted on: 2/13/2012

Comments:

I write in support of HB2859 that would allow graduate teaching and research assistants at UH to bargain over their working conditions. This is an essential right for many reasons, only one of which I will dwell on here. One of the faculty's educational functions is to teach our graduate students how to become professional, and how to participate within academic institutions for the benefit of undergraduates and for the good of the university. While the duties of graduate assistants are vital—they teach courses and they conduct research—they are statutorily barred from organizing and having a collective voice. Professors have this right. Professional administrators at UH also have this right. Denying this right to graduate assistants denies an essential equality of voice in what is acknowledged to be a vital and economically useful task. And this denial of equality ultimately makes professionalization of graduate students harder to accomplish. When students are treated as second class workers, it is harder to get them to see themselves as ethically motivated, to strive for excellence, and to take pride in their work. UH and the state may find it economically useful to deny graduate assistants the right to organize. Yet this works against the university's essential purpose: to produce valuable citizens. Allowing the right to form unions will help graduate assistants become the professionals that they seek to be. HB 2859 is not only right, but it facilitates the mission of the university.

Jon Goldberg-Hiller, Ph.D.
Professor of Political Science
Co-editor, *Law & Society Review*
Department of Political Science
University of Hawai'i at Mānoa
2424 Maile Way
Honolulu, HI 96822
hiller@hawaii.edu
808 956-8563

nakashima2 - Susie

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 13, 2012 5:59 PM
To: HEDtestimony
Cc: Nmiyaji@campus.hpu.edu
Subject: Testimony for HB2859 on 2/14/2012 2:00:00 PM

Testimony for HED 2/14/2012 2:00:00 PM HB2859

Conference room: 309
Testifier position: Support
Testifier will be present: No
Submitted by: Nicole Miyaji
Organization: Individual
E-mail: Nmiyaji@campus.hpu.edu
Submitted on: 2/13/2012

Comments:
This bill is the greatest!

February 14, 2012

Committee on Labor & Public Employment
415 South Beretania Street
Honolulu, HI 96813

RE: HB 2859

Dear Members of the Committee on Labor & Public Employment,

I am currently a graduate student at the University of Hawaii, Manoa (UHM) and I am in full support of this Bill HB 2859. I have worked as a teaching assistant for UHM and take great pride in providing the undergraduate students I teach with well thought out lesson plans and a supportive learning environment. It is vital for graduate students to be able to retain our rights as state employees for better working conditions and salary increase. It is my firm belief that graduate students provide a critical component to UHM's undergraduate education and that as employees of the University we should be aptly compensated for our work. Since 2004, we have not received a salary increase; yet with the rising cost of living it is difficult for graduate students to have their work as Teaching Assistant's cover their basic living costs. Additionally increasing the pay of graduate student positions on campus will enable the University to remain competitive with other graduate programs on the mainland and to recruit new graduate students to pursue degrees here in Hawaii. It is my firm belief that the passing of HB 2859 is vital to the continued success of current and future graduate student at UHM.

Sincerely yours,

A handwritten signature in black ink that reads "Richard R. Coleman". The signature is written in a cursive, flowing style.

Richard R. Coleman

M.S. Candidate, Zoology

nakashima2 - Susie

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 13, 2012 10:17 PM
To: HEDtestimony
Cc: sarahmf@hawaii.edu
Subject: Testimony for HB2859 on 2/14/2012 2:00:00 PM

Testimony for HED 2/14/2012 2:00:00 PM HB2859

Conference room: 309
Testifier position: Support
Testifier will be present: No
Submitted by: Sarah M. Fukumoto
Organization: Individual
E-mail: sarahmf@hawaii.edu
Submitted on: 2/13/2012

Comments:

Aloha Representatives,

I am a graduate student at the University of Hawaii at Manoa, and I am in strong support of HB2859. As a former graduate teaching assistant at the University, I understand and support the concerns of my peers and their request for equal representation. Fiscal concerns aside, requiring graduate student employees to work for an extremely influential group of organized professors - without the mere option of having equal union representation - is unjust. The disproportionate power distribution in G.A.-Professor relations should not lawfully extend to student employee protection.

There are a number of valid concerns regarding the fiscal and unintentional implications of passing this bill. However, should HB 2859 die at some point in the legislative process, you - our lawmakers - have at the very least been made aware of the disparate treatment that graduate student employees receive.

THIS TESTIMONY HAS BEEN PREPARED AND SUBMITTED DURING NON-WORKING HOURS AND WITHOUT THE USE OF STATE RESOURCES.

Sarah M. Fukumoto
Communicology, M.A. (in progress)

nakashima2 - Susie

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 14, 2012 2:03 AM
To: HEDtestimony
Cc: jholmes@hawaii.edu
Subject: Testimony for HB2859 on 2/14/2012 2:00:00 PM

Testimony for HED 2/14/2012 2:00:00 PM HB2859

Conference room: 309
Testifier position: Support
Testifier will be present: Yes
Submitted by: Julie Holmes
Organization: Individual
E-mail: jholmes@hawaii.edu
Submitted on: 2/14/2012

Comments:

Dear honorable members of the House:

I am in complete support of this bill. I have read other supporting testimony and agree absolutely. However, I also think UH students need protection under social security so that they have a safety net like "other" workers. At present, UH Grad students have been and are at serious risk. This needs to be ameliorated immediately. I think animals used in research have more rights. Graduate students are the infrastructure of the future -- if this structure is not sustained, the effects will be devastating.

Thank you for your time and consideration of this bill. It is important.

Sincerely,

J.A.Holmes

nakashima2 - Susie

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 14, 2012 9:15 AM
To: HEDtestimony
Cc: gowanloc@hawaii.edu
Subject: Testimony for HB2859 on 2/14/2012 2:00:00 PM

Testimony for HED 2/14/2012 2:00:00 PM HB2859

Conference room: 309
Testifier position: Support
Testifier will be present: Yes
Submitted by: Michael Gowanlock
Organization:
E-mail: gowanloc@hawaii.edu
Submitted on: 2/14/2012

Comments:

I believe it to be fundamentally wrong to exclude students from unionizing, while other state employees are able to do so. Unionization would allow student workers to advocate for themselves. Given that we have not received a salary increase since 2004, it seems as though the university does not care about the welfare of a large population of their employees. The high cost of living in Hawaii, health insurance, and other expenses, make it very challenging for graduate students to make ends meet. Allowing student assistants to unionize would better their conditions and quality of life.

nakashima2 - Susie

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 14, 2012 9:17 AM
To: HEDtestimony
Cc: ian2@hawaii.edu
Subject: Testimony for HB2859 on 2/14/2012 2:00:00 PM

Testimony for HED 2/14/2012 2:00:00 PM HB2859

Conference room: 309
Testifier position: Support
Testifier will be present: No
Submitted by: Ian Sullivan
Organization: Individual
E-mail: ian2@hawaii.edu
Submitted on: 2/14/2012

Comments:

I am a graduate assistant working in the Philosophy Department at the University of Hawai'i at Mānoa. I receive a \$5,000 fellowship award each fall from my department; I live in the East-West Center's student housing, which affords me a considerable discount on housing costs, and I have a full tuition waiver as a graduate assistant. Despite all of these benefits, I am still unable to cover my own modest living expenses with the salary provided by my GA-ship. There has been no salary increase for graduate assistants since 2004 and we lack any recourse through unionization to remedy this. I put in long hours teaching students at UH and developing my own research to strengthen the reputation of our institution, yet I am forced to take out loans on top of everything else. As a voter and a state employee, I deserve the right to unionize with my fellow graduate assistants to ensure that our labor is not exploited and to promote a more harmonious environment in our state's university system.