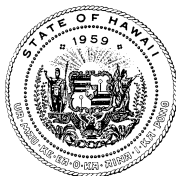


HB 924



**STATE OF HAWAII
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS**

830 PUNCHBOWL STREET, ROOM 321
HONOLULU, HAWAII 96813

<http://labor.hawaii.gov>

January 30, 2013

To: The Honorable Mark M. Nakashima, Chair,
The Honorable Mark J. Hashem Vice Chair, and
Members of the House Committee on Labor & Public Employment

Date: Friday, February 1, 2013

Time: 08:00 a.m.

Place: Conference Room 309, State Capitol

From: Dwight Y. Takamine, Director
Department of Labor and Industrial Relations (DLIR)

Re: H.B. No. 924 Relating to Collective Bargaining

I. OVERVIEW OF PROPOSED LEGISLATION

The purpose of this proposal is to clarify the procedure for using first class mail by the Hawaii Labor Relations Board (HLRB) to notify parties of a hearing, notwithstanding section 91-9.5, Hawaii Revised Statutes (HRS). The bill also amends section 89-9, HRS, by repealing wording that is not in effect and updating statutory references.

- The department strongly supports this Administration proposal.

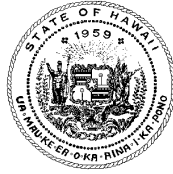
II. CURRENT LAW

Current law requires the Board to use registered or certified mail to notice the parties.

III. COMMENTS ON THE HOUSE BILL

The proposal would permit the HLRB to more efficiently allocate resources. Currently, HLRB spends \$3600 a year for postage expenses. This measure would allow the board to realize savings of 77% or about \$2200 per year. The money from the postage savings would be used in developing an electronic filing system and is the first step in HLRB's strategic planning efforts to move the agency into the digital age with a goal towards paperless litigation and electronic filing and document management.

NEIL ABERCROMBIE
GOVERNOR



NEIL DIETZ
CHIEF NEGOTIATOR

**STATE OF HAWAII
OFFICE OF COLLECTIVE BARGAINING
EXECUTIVE OFFICE OF THE GOVERNOR**
235 S. BERETANIA STREET, SUITE 1201
HONOLULU, HAWAII 96813-2437

February 1, 2013

**TESTIMONY TO THE
HOUSE COMMITTEE ON LABOR**

For Hearing on Friday, February 1, 2013
8:00 a.m., Conference Room 309

BY

NEIL DIETZ
CHIEF NEGOTIATOR

**House Bill No. 924
RELATING TO COLLECTIVE BARGAINING**

TO CHAIRPERSON MARK NAKASHIMA AND MEMBERS OF THE COMMITTEE:

Thank you for the opportunity to provide testimony on H.B. No. 924.

H.B. No. 924 proposes to require the Hawaii Labor Relations Board to provide written notice of a hearing to all parties by first class mail at least fifteen days before the scheduled hearing, in accordance with Hawaii Revised Statutes §89.

The Office of Collective Bargaining supports this bill because it streamlines the notification process at reduced administrative expense.

It is the hope of the Office of Collective Bargaining that this is a first step in moving towards electronic filing and a "paperless" system at the Hawaii Labor Relations Board. We understand that wish is beyond the scope of H.B. No. 924, but this bill should be considered a step in that direction.

Once again, thank you for the opportunity to offer this testimony.



House Committee on Labor & Public Employment
Friday, February 1, 2013
8:00 a.m.

HB 924, Relating to Collective Bargaining.

Dear Chairman Nakashima and Committee Members:

The University of Hawaii Professional Assembly's Board of Directors recognizes that the Hawaii Labor Relations Board has significant challenges in meeting its responsibilities in the enforcement of Chapter 89 Collective Bargaining in Public Employment. Over the course of time, there has been a diminution in resources provided for the effective functioning of this agency making it difficult to meet its' duties to employees, employers and the public. UHPA believes that HB 924 does not resolve the problems confronting the Hawaii Labor Relations Board. This proposed legislation will not meet the expectations of any party as long as the agency remains deficit in knowledgeable staff and administrative resources that enhance decision making.

UHPA encourages legislators to support increased funding for the Hawaii Labor Relations Board that will rebuild this agency so it can effectively address the needs of public employees and employers. It is clear that the lack of hearing officers and research attorneys impede the progress of complex complaints. Further, they simply do not have the technological resources that make access to hearing transcripts and documents easily obtained by the Board members for their decision making.

UHPA encourages the committee to reject HB 924 as providing the pathway to a more responsive Hawaii Labor Relations Board.

Respectively submitted,

Kristeen Hanselman
Associate Executive Director

**UNIVERSITY OF HAWAII
PROFESSIONAL ASSEMBLY**

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