

STAND. COM. REP. NO. 3102

Honolulu, Hawaii

MAR 25 2014

RE: S.C.R. No. 110
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2014
State of Hawaii

Madam:

Your Committee on Judiciary and Labor, to which was referred
S.C.R. No. 110 entitled:

"SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII LABOR
RELATIONS BOARD TO CONDUCT AN INVESTIGATION INTO THE
GRIEVANCE ARBITRATION PROCESS IN PUBLIC COLLECTIVE
BARGAINING, "

begs leave to report as follows:

The purpose and intent of this measure is to request the
Hawaii Labor Relations Board to conduct an investigation into the
grievance arbitration process in public collective bargaining.

Your Committee received testimony in support of this measure
from the Hawaii Labor Relations Board. Your Committee received
testimony in opposition to this measure from the University of
Hawaii Professional Assembly; and United Public Workers, AFSCME
Local 646, AFL-CIO. Your Committee received comments on this
measure from the Hawaii Government Employees Association, AFSCME
Local 152, AFL-CIO.

Your Committee finds that the grievance arbitration process
under a public collective bargaining agreement is intended to
maintain labor stability and peace during the term of a contract
between public employers and employees. The grievance arbitration
process should be a simplified system that provides a quick, just,
and cost-effective resolution to conflicts between public
employers and employees. However, the existing labor arbitration
process has become dominated by the advocacy of attorneys, which



has unnecessarily formalized the entire hearing process, complicated and lengthened its completion time, increased its attendant costs, and created a more adversarial environment. This measure requests the Hawaii Labor Relations Board to conduct an investigation into the grievance arbitration process in public collective bargaining to make findings and recommendations to improve labor arbitrations.

Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 110, as amended herein, and recommends that it be referred to the Committee on Ways and Means, in the form attached hereto as S.C.R. No. 110, S.D. 1.

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



CLAYTON HEE, Chair



The Senate
 Twenty-Seventh Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary and Labor
JDL

Bill / Resolution No.:* SCR 110	Committee Referral: JDL, WAM	Date: 3/21/14		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
HEE, Clayton (C)	✓			
SHIMABUKURO, Maile S.L. (VC)	✓			
GABBARD, Mike	✓			
GALUTERIA, Brickwood				✓
IHARA, Jr., Les				✓
SOLOMON, Malama	✓			
SLOM, Sam	✓			
TOTAL	5			2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes