

Honolulu, Hawaii

MAR 25 2014

RE: S.R. No. 59  
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.R. No. 59 entitled:

"SENATE 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.R. No. 59, as amended herein, and recommends that it be referred to the Committee on Ways and Means, in the form attached hereto as S.R. No. 59, S.D. 1.

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



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CLAYTON HEE, Chair



