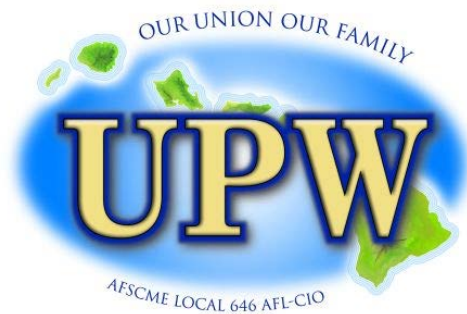


**SR59**

**LATE**

**TESTIMONY**



THE HAWAII STATE SENATE  
The Twenty-Seventh Legislature  
Regular Session of 2014

COMMITTEE ON JUDICIARY AND LABOR  
The Honorable Sen. Clayton Hee, Chair  
The Honorable Sen. Maile Shimabukuro, Vice Chair

DATE OF HEARING: Friday, March 21, 2014  
TIME OF HEARING: 10:15 AM  
PLACE OF HEARING: Conference Room 016

**TESTIMONY ON SR59/SCR110:**  
**REQUESTING THE HAWAII LABOR RELATIONS BOARD TO CONDUCT AN**  
**INVESTIGATION INTO THE GRIEVANCE ARBITRATION PROCESS IN PUBLIC**  
**COLLECTIVE BARGAINING.**

By DAYTON M. NAKANELUA,  
State Director of the United Public Workers,  
AFSCME Local 646, AFL-CIO ("UPW")

My name is Dayton M. Nakanelua and I am the State Director of the United Public Workers, AFSCME, Local 646, AFL-CIO (UPW). The UPW is the exclusive representative for approximately 14,000 public employees, which include blue collar, non-supervisory employees in Bargaining Unit 1 and institutional, health and correctional employees in Bargaining Unit 10, in the State of Hawaii and various counties. The UPW also represents about 1,500 members of the private sector.

The UPW opposes SR59/SCR110, which is requesting that the Hawaii Labor Relations Board (HLRB) conduct an investigation into the grievance arbitration process in public collective bargaining.

Attorneys have become an essential element to the grievance arbitration component of collective bargaining. It is their legal expertise and guidance that allows for both sides to understand each other more clearly. This resolution seeks to place blame on attorneys for the costly and lengthy process of arbitration. UPW disagrees that the problem with the arbitration process is with the attorneys and instead suggests that it stems from a lack of information and the nature of class grievances, both of which necessitates legal consult to peacefully solve.

We ask that this bill be held in committee.  
Thank you for the opportunity to testify on this measure.