
A BILL FOR AN ACT

RELATING TO COLLECTIVE BARGAINING.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The purpose of this Act is to allow graduate
2 student assistants employed by the University of Hawaii to
3 collectively bargain their wages, hours, and other terms of
4 employment.

5 SECTION 2. Section 89-6, Hawaii Revised Statutes, is
6 amended as follows:

7 1. By amending subsection (a) to read:

8 "(a) All employees throughout the State within any of the
9 following categories shall constitute an appropriate bargaining
10 unit:

- 11 (1) Nonsupervisory employees in blue collar positions;
12 (2) Supervisory employees in blue collar positions;
13 (3) Nonsupervisory employees in white collar positions;
14 (4) Supervisory employees in white collar positions;
15 (5) Teachers and other personnel of the department of
16 education under the same pay schedule, including part-



- 1 time employees working less than twenty hours a week
 2 who are equal to one-half of a full-time equivalent;
- 3 (6) Educational officers and other personnel of the
 - 4 department of education under the same pay schedule;
 - 5 (7) Faculty of the University of Hawaii and the community
 - 6 college system;
 - 7 (8) Personnel of the University of Hawaii and the
 - 8 community college system, other than faculty;
 - 9 (9) Registered professional nurses;
 - 10 (10) Institutional, health, and correctional workers;
 - 11 (11) Firefighters;
 - 12 (12) Police officers;
 - 13 (13) Professional and scientific employees, who cannot be
 - 14 included in any of the other bargaining units; and
 - 15 (14) State law enforcement officers and state and county
 - 16 ocean safety and water safety officers[-];
- 17 provided that the foregoing list is not exclusive and shall not
 18 prevent public employees within other categories from organizing
 19 for collective bargaining purposes."
- 20 2. By amending subsection (f) to read:



1 "(f) The following individuals shall not be included in
2 any appropriate bargaining unit or be entitled to coverage under
3 this chapter:

- 4 (1) Elected or appointed official;
- 5 (2) Member of any board or commission; provided that
6 nothing in this paragraph shall prohibit a member of a
7 collective bargaining unit from serving on a governing
8 board of a charter school, on the state public charter
9 school commission, or as a charter school authorizer
10 established under chapter 302D;
- 11 (3) Top-level managerial and administrative personnel,
12 including the department head, deputy or assistant to
13 a department head, administrative officer, director,
14 or chief of a state or county agency or major
15 division, and legal counsel;
- 16 (4) Secretary to top-level managerial and administrative
17 personnel under paragraph (3);
- 18 (5) Individual concerned with confidential matters
19 affecting employee-employer relations;
- 20 (6) Part-time employee working less than twenty hours per
21 week, except part-time employees included in unit



- 1 (5) [~~7~~] and part-time graduate student assistants
- 2 employed by the University of Hawaii;
- 3 (7) Temporary employee of three months' duration or less;
- 4 (8) Employee of the executive office of the governor or a
- 5 household employee at Washington Place;
- 6 (9) Employee of the executive office of the lieutenant
- 7 governor;
- 8 (10) Employee of the executive office of the mayor;
- 9 (11) Staff of the legislative branch of the State;
- 10 (12) Staff of the legislative branches of the counties,
- 11 except employees of the clerks' offices of the
- 12 counties;
- 13 (13) Any commissioned and enlisted personnel of the Hawaii
- 14 national guard;
- 15 (14) Inmate, kokua, patient, ward, or student of a state
- 16 institution;
- 17 (15) Student help [~~7~~] except a graduate student assistant
- 18 employed by the University of Hawaii;
- 19 (16) Staff of the Hawaii labor relations board;
- 20 (17) Employees of the Hawaii national guard youth challenge
- 21 academy; or



1 (18) Employees of the office of elections."

2 SECTION 3. Representatives from the University of Hawaii
3 and exclusive representatives of bargaining units that represent
4 employees in the University of Hawaii system shall meet to
5 discuss, determine, and agree upon the scope of negotiable
6 items; provided that not all exclusive representatives need
7 participate. No later than twenty days prior to the convening
8 of the regular session of 2017, the University of Hawaii and
9 exclusive representatives of bargaining units that represent
10 employees in the University of Hawaii system shall submit to the
11 legislature a report of their findings and recommendations,
12 including any proposed legislation. The legislature shall
13 consider the findings and recommendations and determine whether
14 the State's collective bargaining laws shall be amended.

15 SECTION 4. This Act does not affect rights and duties that
16 matured, penalties that were incurred, and proceedings that were
17 begun before its effective date.

18 SECTION 5. Statutory material to be repealed is bracketed
19 and stricken. New statutory material is underscored.



1 SECTION 6. This Act shall take effect on July 1, 2091;
2 provided that any negotiated collective bargaining agreement
3 shall not take effect until July 1, 2017.



Report Title:

Collective Bargaining; Graduate Student Assistants; University of Hawaii

Description:

Authorizes the establishment of public employee collective bargaining units not already specifically authorized in law. Allows part-time and full-time graduate student assistants employed by UH to collectively bargain their wages, hours, and other terms; provided that no collective bargaining agreement shall take effect prior to July 1, 2017. Requires UH and the relevant exclusive representatives to meet and report to the Legislature. (SB2398 HD1)

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