

Honolulu, Hawaii

March 19, 2015

RE: S.B. No. 1011
S.D. 1
H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Sir:

Your Committee on Labor & Public Employment, to which was referred S.B. No. 1011, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING,"

begs leave to report as follows:

The purpose of this measure is to change the manner in which disputes over State and county Hawaii Employer-Union Health Benefits Trust Fund (EUTF) contributions are resolved by repealing:

- (1) The prohibition on using arbitration to resolve disputes and impasses;
- (2) Provisions that set forth the Legislature's role in resolving EUTF contribution disputes through an enactment of law; and
- (3) The prohibition on the right to strike over such contributions.

The University of Hawaii Professional Assembly; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and the Hawaii State Teachers Association submitted testimony in support of this measure. The Department of Budget and Finance submitted testimony in opposition to this measure. The Office of Collective Bargaining submitted comments on this measure.



Your Committee has amended this measure by:

- (1) Requiring the Hawaii Labor Relations Board, rather than the American Arbitration Association, upon the failure to timely select the neutral third member of an arbitration panel, to furnish the list of qualified arbitrators from which the neutral third member is to be selected and requiring State arbitrators to be included in that list;
- (2) Changing the effective date to July 1, 2115, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1011, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1011, S.D. 1, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Labor & Public
Employment,



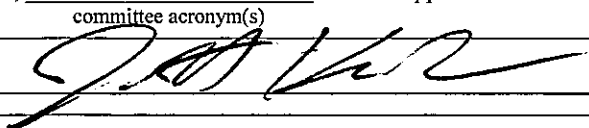
MARK M. NAKASHIMA, Chair



State of Hawaii
House of Representatives
The Twenty-eighth Legislature

HSC 923

Record of Votes of the Committee on Labor & Public Employment

Bill/Resolution No.: SB 1011 6D1	Committee Referral: LAB, JUD, FIN	Date: 3/17/15		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
LAB Members	Ayes	Ayés (WR)	Nays	Excused
1. NAKASHIMA, Mark M. (C)	/			
2. KEOHOKALOLE, Jarrett (VC)	/			
3. AQUINO, Henry J.C.				/
4. HAR, Sharon E.	/			
5. ICHIYAMA, Linda	/			
6. JOHANSON, Aaron Ling	/			
7. LOPRESTI, Matthew S.	/			
8. SAN BUENAVENTURA, Joy A.	/			
9. TAKAYAMA, Gregg	/			
10. TAKUMI, Roy M.	/			
11. YAMASHITA, Kyle T.	/			
12. TUPOLA, Andria P.L.				/
TOTAL (12)		10		2
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align: center; font-size: 0.8em;">committee acronym(s)</div>				
Vice Chair's or designee's signature: _____ <div style="text-align: center; font-size: 1.5em; font-family: cursive;">  </div>				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				