

Honolulu, Hawaii

March 18, 2016

RE: S.B. No. 2398
S.D. 2
H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawaii

Sir:

Your Committee on Labor & Public Employment, to which was referred S.B. No. 2398, S.D. 2, entitled:

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

begs leave to report as follows:

The purpose of this measure is to establish a collective bargaining Unit (15) for graduate student assistants employed by the University of Hawaii, thereby allowing graduate student assistants employed by the University of Hawaii to collectively bargain their wages, hours, and other terms of employment.

The University of Hawaii Professional Assembly; University of Hawaii at Manoa Graduate Student Organization; ILWU Local 142; Democratic Party of Hawai'i; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and several individuals testified in support of this measure. The Department of Budget and Finance; Office of Collective Bargaining; and University of Hawaii System testified in opposition to this measure.

As a matter of policy, the Legislature has recognized the concerns regarding compensation, working conditions, and benefits brought forward by graduate students, who often serve as teaching assistants and graduate assistants, in the pursuit of higher education in the University of Hawaii System. The Legislature notes that there are many avenues available to the University of Hawaii far short of collective bargaining that may effectively address the graduate students' concerns and it would be most



prudent for the university administration to address this issue while they are still able.

Accordingly, upon careful consideration, your Committee has amended the contents of this measure to reflect the substance of H.B. No. 1529, H.D. 1, which:

- (1) Establishes a framework that would allow graduate student assistants employed by the University of Hawaii to collectively bargain without establishing a collective bargaining unit by specifying that graduate student assistants and other public employees are not barred from organizing for the purpose of collective bargaining; and
- (2) Requires representatives from the University of Hawaii and representatives of bargaining units that represent the University of Hawaii System to meet and discuss the scope of negotiable items and report any findings and recommendations, including whether changes to state collective bargaining laws are necessary, to the Legislature.

Your Committee has also amended this measure by changing its effective date to July 1, 2091, to encourage further discussion.

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. 2398, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2398, S.D. 2, H.D. 1, and be referred to your Committee on Higher Education.

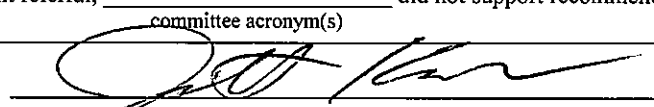
Respectfully submitted on
behalf of the members of the
Committee on Labor & Public
Employment,



MARK M. NAKASHIMA, Chair



Record of Votes of the Committee on Labor & Public Employment

Bill/Resolution No.: SB2398 SD2	Committee Referral: LAB, HED, FIN	Date: 3/15/16		
<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	Ayes (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. TAKUMI, Roy M.	/			
10. YAMASHITA, Kyle T.	/			
11. TUPOLA, Andria P.L.				/
TOTAL (11)	10			1
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small>committee acronym(s)</small>				
Vice Chair's or designee's signature: 				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				