

Honolulu, Hawaii

March 22, 2016

RE: S.B. No. 2896  
S.D. 1  
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. 2896, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE PREVENTION OF UNFAIR LABOR PRACTICES,"

begs leave to report as follows:

The purpose of this measure is to provide for a more efficient way of satisfying notice requirements to parties with respect to unfair labor practice complaints by:

- (1) Authorizing the Hawaii Labor Relations Board (Board) to require a complainant to serve a copy of the complaint upon the person charged;
- (2) Allowing complaints to be served by electronic service through a company designated by the Board; and
- (3) Requiring that all parties be given written notice of hearing by first class mail or by electronic service at least 15 days before the hearing.

The Board provided comments on this measure.



Your Committee has amended this measure by:

- (1) Clarifying that, for unfair labor practice complaints, the Board shall give all parties written notice of the hearing by first class mail or electronic service at least 15 days before the hearing; and
- (2) Making a technical, nonsubstantive amendment 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. 2896, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2896, S.D. 1, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

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



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MARK M. NAKASHIMA, Chair



State of Hawaii  
House of Representatives  
The Twenty-eighth Legislature

HSR1154-16

**Record of Votes of the Committee on Labor & Public Employment**

| Bill/Resolution No.:<br><b>SB 2896 SD1</b>  | Committee Referral:<br><b>LAB, CPC</b> | Date:<br><b>3/15/16</b> |      |          |
|---|--|-------------------------|------|----------|
| <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<br><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.   |  |                         |      | /        |
| <b>TOTAL (11)</b>   | <b>10</b>                              |                         |      | <b>1</b> |
| The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted<br>If joint referral, _____ did not support recommendation.<br><small style="margin-left: 100px;">committee acronym(s)</small>  |  |                         |      |          |
| Vice Chair's or designee's signature:   |  |                         |      |          |
| Distribution: Original (White) – Committee    Duplicate (Yellow) – Chief Clerk's Office    Duplicate (Pink) – HMSO  |  |                         |      |          |