

STAND. COM. REP. NO.

892

Honolulu, Hawaii

MAR 06 2015

RE: S.B. No. 638
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Madam:

Your Committee on Ways and Means, to which was referred S.B. No. 638 entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to authorize graduate students employed by the University of Hawaii to organize for the purpose of collective bargaining.

Specifically, this measure exempts graduate students from the student help that are not authorized to be included in any appropriate public employees collective bargaining unit.

Your Committee received written comments in support of this measure from the University of Hawaii Professional Assembly, Hawaii Government Employees Association, Hawaii State AFL-CIO, University of Hawaii at Manoa Graduate Student Organization, and sixteen individuals. Your Committee received written comments in opposition to this measure from the Department of Budget and Finance and the University of Hawaii. The Department of the Attorney General and Office of Collective Bargaining submitted written comments on this measure.

Your Committee finds that graduate students are a critical component of the University of Hawaii, serving as teaching assistants for undergraduate classes and research assistants for research projects. However, graduate students report that the pay for these positions is barely enough to cover living expenses and

SB638 SD1 SSCR LRB 15-2000-2.doc



that they are not afforded the most basic benefits of sick or vacation leave. Your Committee believes that establishing collective bargaining unit (15) for graduate student assistants employed by the University of Hawaii will help to improve the pay and employment benefits of graduate students.

Your Committee further believes that establishing a working group to consider and recommend to the Legislature the appropriate salary scales, wage levels, benefits, hours of employment, and other rights and privileges of individuals in bargaining unit (15) will enable a balanced approach to authorizing graduate students to organize for the purpose of collective bargaining. Your Committee finds that such an evaluation is necessary because graduate student assistants are a unique class of employees. They are not career or full-time employees for whom the full range of collective bargaining rights and privileges may be appropriate.

Your Committee has amended this measure by:

- (1) Establishing graduate students employed by the University of Hawaii as collective bargaining unit (15), effective December 31, 2016;
- (2) Requiring the Director of Human Resources Development to convene the collective bargaining unit (15) working group to consider and make recommendations for specific rights and privileges that should be provided to graduate student assistants in prospective collective bargaining unit (15), including a recommendation on whether the bargaining unit should be subject to binding arbitration or given the right to strike;
- (3) Requiring the collective bargaining unit (15) working group to submit a report to the Legislature before the 2016 Regular Session on its findings, recommendations, and proposed legislation, if any, regarding the appropriate rights and privileges that should be provided to individuals in collective bargaining unit (15); and
- (4) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your



Committee is in accord with the intent and purpose of S.B. No. 638, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 638, S.D. 1.

Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,



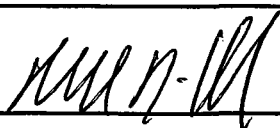
JILL N. TOKUDA, Chair



The Senate
Twenty-Eighth Legislature
State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

3/4/15 **AIKA**

Bill / Resolution No.:* SB638	Committee Referral: HEA/JDL, WAM	Date: 3/3/15		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
TOKUDA, Jill N. (C)	✓			
KOUCHI, Ronald D. (VC)	✓			
CHUN OAKLAND, Suzanne	✓			
DELA CRUZ, Donovan M.	✓			
ENGLISH, J. Kalani	✓			
GALUTERIA, Brickwood	✓			
HARIMOTO, Breene	✓			
INOUE, Lorraine R.	✓			
RIVIERE, Gil	✓			
RUDERMAN, Russell E.			/	✓
SLOM, Sam				
TOTAL	9	0	1	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center; font-family: cursive; font-size: 1.2em;">  </div>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes