



UNIVERSITY OF HAWAII SYSTEM

Legislative Testimony

Testimony Presented Before the
House Committee on Higher Education
February 2, 2017 at 2:00 p.m.

By
Risa E. Dickson
Vice President for Academic Planning and Policy
University of Hawai'i System

HB 1277 – RELATING TO COLLECTIVE BARGAINING

Chair Woodson, Vice Chair Hashem, and members of the Committee:

I am respectfully submitting testimony on behalf of the University of Hawai'i regarding House Bill 1277 – Relating to Collective Bargaining – which proposes to amend §89-6, Hawai'i Revised Statutes (HRS), to allow full-time graduate student assistants employed by the University of Hawai'i to organize for collective bargaining purposes and to form a new bargaining unit. In addition, this bill proposes to amend §89-11, HRS, and provide the Hawai'i Labor Relations Board the requisite authority to assist in the resolution of impasse.

The University of Hawai'i opposes the passage of this measure.

As we explained in prior testimony submitted in response to similar bills introduced in the 2015 and 2016 legislative sessions, in deliberating on the concept of allowing University-employed graduate student assistants to be included in collective bargaining, there are several issues that the Legislature should seriously consider.

First and foremost, graduate student assistants are *students* first and *employees* second. Graduate student assistants are student learners. They are at the University, not for a job as an assistant, but rather to learn as much about their chosen fields of study as their individual time and talents will allow. These graduate students are mentored and supervised by our rank 3, 4, and 5 faculty members who hold PhDs or other terminal level degrees, and have many years of proven professional competence and experience including evidence of proficiency in teaching and/or research.

Indeed, though a large part of our efforts as University mentors is aimed at teaching graduate assistants the actual subject matter, an equally large part is devoted to developing graduate student assistants as academic professionals with real job skills in research techniques, teaching expertise, etc. contributing to scholarly and research disciplines at national and international levels. The graduate assistants learn these essential skill sets while in their graduate assistant positions under the guidance and supervision of our current faculty employees.

In this respect, the duties and assignments of a graduate assistant differ from that of a faculty member. Our faculty members in ranks 3, 4, and 5 who mentor graduate student assistants are established professionals required to teach classes and/or develop research programs without active supervision or management oversight. The purpose of an assistantship is to train and mentor a graduate student in specific skill sets with the explicit goal of increasing their competitiveness as the graduate student enters a professional academic career.

Simply stated, the University's priority is degree completion for our graduate student assistants, not providing them with "career government service" levels of pay, benefits and job security while they are in training to be the best in their future career fields.

This leads directly to a second consideration, which is that a "graduate student assistant" is not a career position; the assistantship is a transitory stage and a status that runs directly contrary to *all* other positions in the established collective bargaining units under §89-6, HRS. The fact is there are no long term career opportunities for graduate student assistant positions at the University or anywhere else. As noted, a graduate student assistantship is similar to an on-the-job training or apprenticeship program; the assistantship is not a career choice. The assistantship is, however, an important stepping stone for graduate students to become faculty and established professionals and to achieve the ultimate goal of a faculty career in higher education and job security *upon duly passing probation* (a concept that this measure does not address).

Creating a bargaining unit comprised entirely of temporary graduate student assistants, many of them non-residents, contributes little toward the important and core public policy of fostering a stable and prosperous middle class in Hawai'i dedicated to sustainable, long-term careers in local government service. Indeed, this is *precisely* why we have strong, cohesive bargaining units for committed government careers such as teachers, firefighters, police officers, corrections officers, clerical and other staff support, and custodial, grounds and trades employees.

This leads directly to a third consideration, namely that there will be significant and *enduring* cost increases to both the University and the State of Hawai'i should graduate student assistants become employees with the right to collectively bargain.

The current levels of compensation for graduate student assistants are competitive, particularly when one takes into consideration that they are provided with tuition waivers. For example, UH Mānoa full time resident graduate student tuition currently ranges between **\$7,644 to \$12,012** per semester, while non-resident tuition ranges between **\$18,324 to \$22,752** per semester. We afford our graduate student assistants with tuition waivers so they can concentrate on being first-rate *students* and achieve degree completion in timely manner.

Graduate student assistants may also receive monetary stipends that can vary by the educational program in which they are enrolled. The current level of compensation is a

considerable cost to the University and constitutes a significant amount of the financial assistance provided to graduate student assistants. As well, our graduate assistants who have 50% appointments are eligible to enroll in the *same* health and benefit plans (medical, prescription drugs, dental, vision and life insurance) as our career employees who are members of bargaining units. Further, our graduate assistants who are full-time students are also exempt from the FICA tax.

Currently, the University has flexibility in dealing with these sorts of very significant costs, but pursuant to this measure, tuition waivers, stipends and other benefits we provide to our graduate assistants would become “cost items” and would thereafter be subject to **mandatory bargaining**. These costs would further extend to include membership in the State Employees’ Retirement System as provided to employees in Chapter 88, HRS, which would add pension contribution costs to the State and tax payers. In addition, any increased enrollment in the Employer-Union Trust Fund for health insurance benefits will also add increased expenses to the University and State for contributions to the system.

Note further that all compensation collectively bargained for may be treated as wages that will be subject to employment and income taxes – an issue graduate student assistants may not be considering as it relates to tuition waivers that involve substantial sums of money.

In sum, this measure would create a bargaining unit that is absolutely unique in the State, comprised of transitory members who remain students first with the intention of learning a skill set to increase their competitiveness when they graduate and begin a professional career. The University views this measure as drastically impacting the intent and purpose of graduate assistantships, greatly increasing our operational expenses, and above all else, blurring the lines between students and employees and impacting our ability to train our graduate students and ensure timely degree completion.

Based on the above, we request that this measure be held.

Thank you for the opportunity to testify on this measure.



The House Committee on Higher Education
Thursday, February 2, 2017
2:00 p.m., Room 309

RE: HB 1277, Relating to Collective Bargaining

Attention: Chair Justin Woodson, Vice Chair Mark Hashem and
Members of the Committee

The University of Hawaii Professional Assembly (UHPA) urges the committee to **support passage of HB 1277** that amends Section 89-6 of the Hawai'i Revised Statute to create bargaining unit 15, allowing full-time graduate students employed at the University of Hawai'i to collectively bargain.

UHPA would like to be transparent that we are not asserting jurisdiction over representation of the graduate students. UHPA's role as defined by its membership would not allow UHPA to represent them.

Graduate students are essential to instruction, research and mentoring that contributes to the overall success of the University of Hawai'i, and are in the full sense of the term, employees, with continuing access to positions based on job and academic performance.

When representing faculty, UHPA has had to work with graduates students, and on occasion, have provided guidance. The current University of Hawai'i policy governing Graduate Students does not provide the proper protections of this group of employees. Collective Bargaining would allow this group the following:

- Negotiation of grievance procedures
- Protection from arbitrary and capricious behavior
- Negotiation of salary, wages and benefits

University of Hawaii
Professional Assembly

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Website: www.uhpa.org



UHPA has witnessed situations where Graduate Students have been collateral damage as a result of disputes, resulting in delays in graduation. Passage of this measure would provide the appropriate protections resulting from these types of actions.

UHPA supports the passage of HB 1277.

Respectfully submitted,

A handwritten signature in black ink that reads "Kristeen Hanselman". The signature is fluid and cursive, with the first name being more prominent.

Kristeen Hanselman
Executive Director



STATE OF HAWAII
OFFICE OF COLLECTIVE BARGAINING
EXECUTIVE OFFICE OF THE GOVERNOR
235 S. BERETANIA STREET, SUITE 1201
HONOLULU, HAWAII 96813-2437

February 1, 2017

TESTIMONY TO THE
HOUSE COMMITTEE ON HIGHER EDUCATION
For Hearing on Thursday, February 2, 2017
2:00 p.m., Conference Room 309

By

JAMES K. NISHIMOTO
OFFICE OF COLLECTIVE BARGAINING, CHIEF NEGOTIATOR

House Bill No. 1277
Relating to Collective Bargaining

(WRITTEN TESTIMONY ONLY)

CHAIRPERSON WOODSON, VICE CHAIR HASHEM AND MEMBERS OF THE
COMMITTEE:

Thank you for the opportunity to testify on this important measure.

House Bill No. 1277 proposes to establish a collective bargaining unit for full-time graduate student assistants employed by the University of Hawaii (UH). Delays formation of the graduate student assistant collective bargaining unit until July 1, 2018.

The Office of Collective Bargaining (OCB) **DOES NOT SUPPORT** this bill for the following reasons:

- The OCB defers to the UH on the definition of employee versus graduate students.

- Unlike other public employees, who are career, long term employees engaged in collective bargaining, a graduate student employment is temporary and is not a career or profession.
- Establishing UH graduate students as collective bargaining unit 15 could have significant cost increases for both the UH and the State since mandatory subjects of collective bargaining cover wages, hours, condition of employment, and fringe benefits.

Thank you for this opportunity to testify on this measure.



HAWAII GOVERNMENT EMPLOYEES ASSOCIATION

AFSCME Local 152, AFL-CIO

RANDY PERREIRA, Executive Director • Tel: 808.543.0011 • Fax: 808.528.0922

The Twenty-Ninth Legislature, State of Hawaii
House of Representatives
Committee on Higher Education

Testimony by
Hawaii Government Employees Association

February 2, 2017

H.B. 1277 - RELATING TO COLLECTIVE BARGAINING

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO strongly supports the concept of allowing graduate student assistants employed by the University of Hawaii to be included in an appropriate collective bargaining unit, as proposed in H.B. 1277.

Graduate assistants employed by the University have encountered numerous work related issues in the past, including budget set backs and increases in class size and workload, in addition to the high cost of living in Hawaii. The language proposed in H.B. 1277 is the most viable legislation as it not only removes the current exclusion of this group from collectively bargaining but also creates a unique bargaining unit with a dispute mechanism to resolve differences in negotiations.

Thank you for the opportunity to testify in strong support of H.B. 1277.

Respectfully submitted,

Randy Perreira
Executive Director



Date: Thursday, February 2, 2017

Time: 2:00 PM

Place: Conference Room 224

To: House Committee on Higher Education
Representative Justin H. Woodson, Chair
Representative Mark J. Hashem, Vice Chair

Re: Support for HB1277 Relating to Collective Bargaining

Thank you for the opportunity to provide testimony. The Graduate Student Organization at the University of Hawai'i at Manoa (GSO) stands in **strong support** of this bill. The GSO represents approximately 4,700 graduate students at the University of Hawai'i at Mānoa.

HB1277 if passed, will amend HRS 89-6 to clarify that graduate assistants are not “student help”, create bargaining unit 15 for graduate assistants, and provide a conflict resolution mechanism for said bargaining unit. We requested that the committee amend the bill to remove references and restrictions to full-time and part-time graduate assistants. All graduate assistants are paid for 20 hours a week, which in most instances is considered part-time. We ask the committee recognize that this is not always an accurate reflection of the time graduate assistants work. The nature of our work as researchers and educators makes it difficult to ascertain a precise hourly measurement.

Over the past three years we met with UH System executives to negotiate in good faith. UH executives concluded those negotiations when they authored Executive Policy 5.223. We requested that graduate assistants be allotted sick days. Ep. 5.223 states “Graduate assistants do not earn vacation and sick leave.” The mechanism that UH executives have created for graduate assistants to stay home when they are sick cannot be implemented and requires more work than simply showing up to the office.

We requested that graduate assistants receive wages competitive with UH peer and benchmark institution and competing West Coast universities. Our request was flatly dismissed and Ep. 5.223 leaves the current pay scale intact. While UH executives did make a legislative request for more funding for graduate assistants, it is woefully inadequate, and they have made no commitment to fully resolve compensation issues.

We bring up these issues for two reasons. We attempted to negotiate with UH System without the right to engage in collective bargaining. It did not work. Secondly, UH System executives have indicated that they prefer to resolve labor disputes through the legislative process. We maintain that collective bargaining is a more efficient process and that UH System executives have erred in placing the responsibility for directly managing personnel and resolving labor disputes on the state legislature. Doing so represents a radical departure from the way the state handles labor and personnel matters. There is no evidence to suggest that it is a better method and UH System executives have not examined the broader implications.



The majority of teaching assistants (GTA) are in charge of teaching their own classes. They do all the grading and lecturing, as well as design the syllabus and maintain decorum in the classroom. Our research assistants (GRA) are often working on multiple independent projects at the direction of an assigned supervisor. Other graduate assistants (GA) are working in administrative offices performing the same duties as any administrative office worker.

Graduate Assistants in every role meet the common-law test's criteria for employment as well as the so-called ABC test's criteria. Graduate Assistants do not control their own hours and have employment taxes withheld from their State of Hawai'i issued paychecks. Graduate Assistants are required to attend trainings and undergo periodic evaluations. A Graduate Assistant's supervisor, often a University recognized employee, controls the means and manner in which a Graduate Assistant carries out their work. Graduate Assistants further qualify as employees under HRS 377-1 and HRS 377-4.6(C). While the "students first employees second" argument is a worthwhile theoretical discussion of identity, the law is quite clear on this topic.

In August 2016, the National Labor Relations Board reversed a Bush-era decision to prevented graduate assistants at private universities from engaging in collective bargaining. They found that it "deprived an entire category of workers of the protections of the Act without a convincing justification." (National Labor Relations Board, 2016) We are now seeing unions form at private universities such as Columbia University, Harvard University, and many more. There are currently 33 graduate assistant unions at public universities in the United States. They include every public university on the West Coast. (CGEU, 2017) We are not seeking to depart from the norm. Collective bargaining for graduate assistants has become the norm.

Graduate students are an integral part of the UH system and the local economy. While attending UH, we constitute a committed learning community, do important research, and perform a substantial proportion of teaching and administrative duties. Unfortunately, we are poorly compensated and are vulnerable to exploitation and poor treatment. As individuals, we stand little chance of success in demanding better treatment and compensation, and the long history of failed attempts at improvements proves this to be true. Our only hope for improving our own situations, then, is to collectively bargain with the University administration. **For these reasons, we strongly urge you to support HB1277.**

References:

"Coalition of Graduate Employee Unions." *United States - Coalition of Graduate Employee Unions*. N.p., n.d. Web. 28 Jan. 2017.

"NLRB.gov." *Board: Student Assistants Covered by the NLRA | NLRB*. N.p., n.d. Web. 28 Jan. 2017.





TIM VANDEVEER
Chair
MARIE STRAZAR
Vice Chair

MARGARET WILLE
SEAN SMITH
Legislation Committee Co-Chairs

February 1, 2017
COMMITTEE ON HIGHER EDUCATION
Rep. Justin H. Woodson, Chair
Rep. Mark J. Hashem, Vice Chair

February 2, 2017 2:00 p.m. State Capitol Conference Room 309
HB1277 "RELATING TO COLLECTIVE BARGAINING"

Submitted on Behalf of the Democratic Party of Hawai'i

The Democratic Party of Hawai'i supports HB1277 "RELATING TO COLLECTIVE BARGAINING" which would allow full time graduate students to form collective bargaining units at the University of Hawaii as of July 1, 2017. Allowing graduate students at the University of Hawaii to form a collective bargaining unit is one of the Democratic Party of Hawai'i's legislative priorities for the 2017 legislative session.

DPH however asks that the Committee consider amending the Bill as follows:

- (1) allow both full time and part-time graduate students to participate in the collective bargaining unit. Allowing only full time graduate students to participate can be expected to encourage the preferential hiring of part-time graduate students, who are far less available to the students and thereby reduces the quality of education, and
- (2) allow formation of the collective bargaining unit on or after July 1, 2017 – rather than delay the date after which formation of the unit is allowed.

Respectfully submitted,

/s/ *Tim Vandev eer* (tim@hawaiidemocrats.org)
Chair of the Democratic Party of Hawai'i
/s/ *Marie (Dolly) Strazar* (hilomds@gmail.com)
Vice Chair of the Democratic Party of Hawai'i

/s/ *Margaret Wille* (margaretwille@mac.com)
/s/ *Sean Smith* (simashang@yahoo.com)
Legislative Committee Co-Chairs

Date: Thursday, February 2nd, 2017
Time: 2:00 PM
Place: Conference Room 309

To: House Committee on Higher Education
Justin H. Woodson, Chair
Mark J. Hashem, Vice Chair

Re: Support for HB 1277 Relating to Collective Bargaining

Dear Chair Woodson, Vice Chair Heshem, and Members of the House Committee on Higher Education,

Thank you for the opportunity to provide testimony. My name is Jessica Schaefer, and I am a graduate student in the Biology department at the University of Hawai'i at Mānoa. I am writing in strong support of HB 1277 to grant collective bargaining rights to graduate students employed by the University of Hawai'i (UH).

A major consideration of prospective graduate students in choosing a program, myself included, is their compensation and standard of living. The lack of collective bargaining rights at the University of Hawai'i and compensation that is inadequate to meet the high cost living in Hawai'i were significant deterrents for me. It was only with reservations that I accepted a position at UH Mānoa, and I find my current financial situation to be even more challenging than I anticipated. To attract the highest quality graduate students, who will be researchers, TAs, and leaders at the University of Hawai'i, the graduate student body should be granted the right to collectively bargain and the ability to advocate for their working conditions as state employees. Not only will this benefit the morale of graduate students, it will put the University on par with other top research institutions, improve its attractiveness to the strongest graduate students around the country, and have a positive trickle-down effect on the undergraduate student body through graduate students' roles as teachers and mentors.

Graduate students are an integral part of the UH system and the local economy. While attending UH, we constitute a committed learning community, do important research, and perform a substantial proportion of the teaching duties. Unfortunately, we are poorly compensated and are vulnerable to exploitation and poor treatment. As individuals, we stand little chance of success in demanding better treatment and compensation, and the long history of failed attempts at improvements proves this to be true. Our only hope for improving our own situations, then, is to collectively bargain with the University administration. For these reasons, I strongly urge you to support HB 1277.

Respectfully submitted,

Jessica Schaefer
Graduate Student of Zoology
University of Hawai'i at Mānoa
jschaef@hawaii.edu

Date: Thursday, February 2nd, 2017
Time: 2:00pm
Place: Conference Room 309

To: House Committee on Higher Education
Representative Justin H. Woodson, Chair
Representative Mark J. Hashem, Vice Chair

Re: Support for HB 1277 Relating to Collective Bargaining

Dear Chair Woodson, Vice Chair Hashem, and Members of the House Committee on Higher Education:

Thank you for the opportunity to provide testimony. My name is Hannah Liebreich, and I am a graduate student at the University of Hawai'i at Mānoa (UHM). I am writing in strong support of HB 1277 to grant collective bargaining rights to graduate students employed by the University of Hawai'i (UH).

I personally support collective bargaining because I have had to deal with job insecurity due to hospitalization. Additionally, I have witnessed my officemate struggle with taking leave when she gave birth to her son and again as she continues to provide childcare for her infant while working as a GA.

Graduate students are an integral part of the UH system and the local economy. While attending UH, we constitute a committed learning community, do important research, and perform a substantial proportion of the teaching duties. Unfortunately, we are poorly compensated and are vulnerable to exploitation and poor treatment. As individuals, we stand little chance of success in demanding better treatment and compensation, and the long history of failed attempts at improvements proves this to be true. Our only hope for improving our own situations, then, is to collectively bargain with the University administration. For these reasons, I strongly urge you to support HB 1277.

Respectfully submitted,

Hannah Liebreich
Hannahli@hawaii.edu

Thank you for the opportunity to provide testimony. My name is Bradley Rentz, and I am a graduate student at the University of Hawai'i at Mānoa (UHM). I am writing in strong support of HB1277 to grant collective bargaining rights to graduate students employed by the University of Hawai'i (UH).

Graduate students are an integral part of the UH system and the local economy. While attending UH, we constitute a committed learning community, do important research, and perform a substantial proportion of the teaching duties. Unfortunately, we are poorly compensated and are vulnerable to exploitation and poor treatment. As individuals, we stand little chance of success in demanding better treatment and compensation, and the long history of failed attempts at improvements proves this to be true. Our only hope for improving our own situations, then, is to collectively bargain with the University administration.

In addition, this past summer the National Labor Relations Board ruled that graduate research and teaching assistants are entitled to collective bargaining under the National Labor Relations Act. Let's change the law in our great state to give graduate students like me and many other residents equal rights under the law.

For these reasons, I strongly urge you to support HB1277.

Respectfully submitted,

Bradley Rentz
808.681.9289
bradley.rentz@gmail.com

Date: Thursday, February 2nd, 2017
Time: 2:00 PM
Place: Conference Room 309

To: House Committee on Higher Education
Justin H. Woodson, Chair
Mark J. Hashem, Vice Chair

Re: Support for HB 1277 Relating to Collective Bargaining

Dear Chair Woodson, Vice Chair Heshem, and Members of the House Committee on Higher Education,

Thank you for the opportunity to provide testimony. My name is Van Wishingrad, and I am a graduate student at the University of Hawai'i at Mānoa. I am writing in strong support of HB 1277 to grant collective bargaining rights to graduate students employed by the University of Hawai'i (UH).

The compensation scale for graduate assistants has not been increased since 2003/2004. Previously, the scale was increased every year from 1987/88 to 1992/93 and every three or four years between 1993/94 and 2003/2004. Policy set by President of the University of Hawai'i System has scheduled the next review for 2018.

Graduate student employees are rehired each year, and sometimes each semester, many students are afraid to complain about being overworked and/or mistreated. Loss of employment midyear could be devastating as deadlines for financial assistance are either prior to the start of fall or early in the fall semester.

Graduate student employees have no say over insurance premiums. Our insurance premiums are higher than faculty yet constituting a more significant portion of our salary. Moreover, we are not afforded sick days or family leave. Thus, sick graduate student employees risk being fired if they choose to stay home to avoid spreading illness to students.

Several other universities in the country have already established collective bargaining rights for graduate students, including: University of Wisconsin-Madison, University of Michigan, University of Oregon, University of Florida, Florida A&M, University of South Florida, University of Wisconsin-Milwaukee, University of Kansas, University of Massachusetts, University of Iowa, Wayne State University, New York University, and the University of California. I urge Hawaii to follow precedent and allow collective bargaining for graduate students at the University of Hawaii.

Graduate students are an integral part of the UH system and the local economy. While attending UH, we constitute a committed learning community, do important research, and perform a substantial proportion of the teaching duties. Unfortunately, we are poorly compensated and are vulnerable to exploitation and poor treatment. As individuals, we stand little chance of success in demanding better treatment and compensation, and the long history of failed attempts at improvements proves this to be true. Our only hope for improving our own situations, then, is to collectively bargain with the University administration. For these reasons, I strongly urge you to support HB 1277.

Respectfully submitted,

Van Wishingrad
vanw@hawaii.edu
(808) 202-7682

Date: Thursday, February 2nd, 2017
Time: 2:00 PM
Place: Conference Room 309

To: House Committee on Higher Education
Justin H. Woodson, Chair
Mark J. Hashem, Vice Chair

Re: Support for HB 1277 Relating to Collective Bargaining

Dear Chair Woodson, Vice Chair Heshem, and Members of the House Committee on Higher Education,

Thank you for the opportunity to provide testimony. My name is Maria Costantini, and I am a graduate student at the University of Hawai'i at Mānoa. I am writing in strong support of HB 1277 to grant collective bargaining rights to graduate students employed by the University of Hawai'i (UH).

The University of Hawai'i at Mānoa has one of the worst stipend to living wage ratios in the entire country, with the living wage rate almost twice the amount of the stipend provided. Most graduate students, particularly PhD students will spend at least 5 years here and it's becoming increasingly difficult to do so. I know many fellow graduate students that have to take out student loans in addition to their stipends just to be able to make it through. This is not a common practice on the mainland. In fact, I did not know any other students who were forced to take out loans at the university where I received my Master's degree from. Without a collective bargaining unit to fight for fair wages, we are being taken advantage of and this is ultimately hurting the university as top tier graduate applicants are choosing universities back on the mainland where they can afford to live the next 5+ years of their lives. If the University of Hawai'i system wants to stay competitive in the research world, graduate students must be able to fight for fairer conditions.

Graduate students are an integral part of the UH system and the local economy. While attending UH, we constitute a committed learning community, do important research, and perform a substantial proportion of the teaching duties. Unfortunately, we are poorly compensated and are vulnerable to exploitation and poor treatment. As individuals, we stand little chance of success in demanding better treatment and compensation, and the long history of failed attempts at improvements proves this to be true. Our only hope for improving our own situations, then, is to collectively bargain with the University administration. For these reasons, I strongly urge you to support HB 1277.

Respectfully submitted,

Maria Costantini
mariacos@hawaii.edu

Thank you for the opportunity to provide testimony. My name is Ashleigh Smith, and I am a graduate student at the University of Hawai'i at Mānoa (UHM). I am writing in strong support of HB1277 to grant collective bargaining rights to graduate students employed by the University of Hawai'i (UH).

Graduate students are an integral part of the UH system and the local economy. While attending UH, we constitute a committed learning community, do important research, and perform a substantial proportion of the teaching duties. Unfortunately, we are poorly compensated and are vulnerable to exploitation and poor treatment. As individuals, we stand little chance of success in demanding better treatment and compensation, and the long history of failed attempts at improvements proves this to be true. Our only hope for improving our own situations, then, is to collectively bargain with the University administration.

In addition, this past summer the National Labor Relations Board ruled that graduate research and teaching assistants are entitled to collective bargaining under the National Labor Relations Act. Let's change the law in our great state to give graduate students like me and many other residents equal rights under the law.

For these reasons, I strongly urge you to support HB1277.

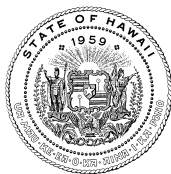
Respectfully submitted,

Ashleigh Smith

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DAVID Y. IGE
GOVERNOR

LATE



WESLEY K. MACHIDA
DIRECTOR

LAUREL A. JOHNSTON
DEPUTY DIRECTOR

EMPLOYEES' RETIREMENT SYSTEM
HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND
OFFICE OF THE PUBLIC DEFENDER

**STATE OF HAWAII
DEPARTMENT OF BUDGET AND FINANCE**

P.O. BOX 150
HONOLULU, HAWAII 96810-0150

ADMINISTRATIVE AND RESEARCH OFFICE
BUDGET, PROGRAM PLANNING AND
MANAGEMENT DIVISION
FINANCIAL ADMINISTRATION DIVISION
OFFICE OF FEDERAL AWARDS MANAGEMENT (OFAM)

WRITTEN ONLY
TESTIMONY BY WESLEY K. MACHIDA
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE
TO THE HOUSE COMMITTEE ON HIGHER EDUCATION
ON
HOUSE BILL NO. 1277

**February 2, 2017
2:00 p.m.
Room 309**

RELATING TO COLLECTIVE BARGAINING

This measure allows graduate students employed by the University of Hawaii (UOH) to collectively bargain by amending Chapter 89-6, HRS, to remove the exemption from collective bargaining for full-time graduate student assistants employed by UOH and authorizing a new Bargaining Unit 15.

The Department of Budget and Finance opposes this measure. The cost implications of allowing graduate student assistants to collectively bargain are a special concern, for both the state budget and UH's current fiscal situation. Negotiations of pay increases for graduate students needs to be weighed against the foregone revenue from tuition waivers and other fees that graduate students do not pay as part of their assistantships. Further, their work hours and work conditions would all need to be part of collective bargaining negotiations that might not fit the flexible schedules that graduate students require to complete their academic program.

Thank you for the opportunity to testify.

LATE

February 1st, 2017

Dear Hawai'i State Legislature,

Mahalo for this opportunity to submit testimony. I am a Ph.D. candidate in the Botany Department at UH Mānoa. This is also the department where I received my Masters of Science degree in 2012. I currently a full-time graduate student assistant while completing my dissertation, but have also funded my living expenses and tuition through outside fellowship in the past.

I am writing to state my support for Bill HB1277, "Relating to Collective Bargaining." I recommend that this bill be passed as written, allowing graduate student assistants the opportunity for collective bargaining.

The main reasons for my support include the possibility for improved health and welfare of our graduate students, and increased ability to attract and retain local students.

I have seen firsthand how low pay (relative to cost of living and relative to other institutions), not only defers some of the best candidates from attending our university, but also puts an unfair burden on our graduate students. Many graduate students who are employed through UH in teaching assistant or research assistant positions struggle to meet their basic needs. I know of multiple examples of graduate students at UH who live in vehicles, in UH buildings, or in illegal structures in order to afford living and being a student in Hawaii. Many other students opt to work second jobs. This adds additional stress, particularly for students who have dependents. I have seen that the financial burden is particular difficult for single mothers, and that the rights of pregnant students have not always been adequately protected. Collective bargaining gives graduate students a stronger voice in making these concerns known and visible to administrators and legislators who may or may not be familiar with this aspect of the graduate student experience. Improving pay and working conditions would also help attract local students, severely under-represented at the graduate level at UH Manoa, and who may not otherwise be able to afford seeking an advanced degree at UH.

As such, I am strongly in support of Bill HB1277, "Relating to Collective Bargaining."

Mahalo nui loa for your time and service and for considering my testimony.

Please let me know if I can provide any further information of clarification.

Sincerely,

Georgia M. Hart, M.S.
Ph.D. Candidate, UH Mānoa
Graduate Student Organization Representative, Botany
Graduate Women in Science, Hawaii Chapter member
Fulbright Scholar

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 1, 2017 2:20 PM
To: HEDtestimony
Cc: cchaudron08@gmail.com
Subject: Submitted testimony for HB1277 on Feb 2, 2017 14:00PM

HB1277

Submitted on: 2/1/2017
Testimony for HED on Feb 2, 2017 14:00PM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
Camila Chaudron	Individual	Support	No

Comments: Hi, my name is Camila Chaudron, I'm a constituent from the Manoa/Makiki area. I support this bill in favor of collective bargaining rights. These will allow the graduate student employed by the state to demand fair wages and treatment. The state should lead by example by providing an equal and competitive work environment for all of its employees, regardless of their age or status. Mahalo.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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LATE

Date: Thursday, February 2nd, 2017
Time: 2:00 PM □
Place: Conference Room 309

To: House Committee on Higher Education
Justin H. Woodson, Chair
Mark J. Hashem, Vice Chair

Re: Support for HB 1277 Relating to Collective Bargaining

Dear Chair Woodson, Vice Chair Heshem, and Members of the House Committee on Higher Education,

Thank you for the opportunity to provide testimony. My name is Mireille Steck, and I am a graduate student at the University of Hawai'i at Mānoa. I am writing in strong support of HB 1277 to grant collective bargaining rights to graduate students employed by the University of Hawai'i (UH).

It has been my experience that many graduate students are expected to work longer hours than other state employees while being paid near minimum wages. Studying is already very taxing on a person, and having to do so while lacking health care, decent wages, and standardized working conditions is inhumane. In my time at the University of Hawai'i, I have encountered many over-worked graduate students who also take up second jobs to attempt to pay their way through school. In doing so, this leaves less time for study and mental health recovery, which negatively impacts the quality of work a student is able to turn out. Having struggled through a Master's degree at the University of Hawai'i, I know first hand how difficult this was and believe collective bargaining would have improved both my work and my experience.

Graduate students are an integral part of the UH system and the local economy. While attending UH, we constitute a committed learning community, do important research, and perform a substantial proportion of the teaching duties. Unfortunately, we are poorly compensated and are vulnerable to exploitation and poor treatment. As individuals, we stand little chance of success in demanding better treatment and compensation, and the long history of failed attempts at improvements proves this to be true. Our only hope for improving our own situations, then, is to collectively bargain with the University administration. For these reasons, I strongly urge you to support HB 1277.

Respectfully submitted,

Mireille Steck
steck4@hawaii.edu
719-201-5808

LATE

hashem2 - Michael

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 2, 2017 1:28 AM
To: HEDtestimony
Cc: imuaalliance@gmail.com
Subject: Submitted testimony for HB1277 on Feb 2, 2017 14:00PM
Attachments: testimony-HB1277.pdf

HB1277

Submitted on: 2/2/2017

Testimony for HED on Feb 2, 2017 14:00PM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
Kris Coffield	IMUAlliance	Support	Yes

Comments:

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LATE

hashem2 - Michael

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 2, 2017 12:43 AM
To: HEDtestimony
Cc: ebrush@hawaii.edu
Subject: Submitted testimony for HB1277 on Feb 2, 2017 14:00PM
Attachments: House Bill HB1277 Brush Testimony.docx

HB1277

Submitted on: 2/2/2017

Testimony for HED on Feb 2, 2017 14:00PM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
Erik Brush	Individual	Support	No

Comments:

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HB 1277

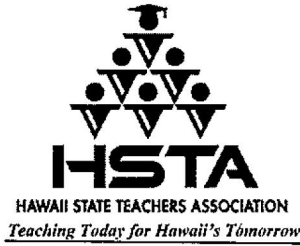
LATE

I am a first year PhD student at UH Mānoa and I feel the need to make my opinions heard. You all know Honolulu is an incredibly expensive city. As you also know, we get compensated very poorly with no recompense for improving our financial situation. Given UH, presumably, wants to continue being a research institute of notoriety, which in turn brings more talented people to Hawai'i, providing a reasonable living wage for graduate students should be paramount to the state legislature. I do not anticipate Gov. Ige going to bat on our behalf, especially given his historic rejection of our ability to collectively bargain, but I would be please if we were granted the power to fight this battle ourselves.

As state employees, we receive many benefits (e.g. EUTF health coverage) but we are barred from others. Notably, we are barred from collective bargaining to achieve better compensation. Additionally, although not as important for this bill, we are also barred from being a part of the state retirement program (although with our current wages there is nothing left to contribute to our future). This juxtaposition is unjust and should be changed. If in the state's eyes we are employees of the state, we should be treated that way.

I came to UH because of the wonderful graduate program. Unfortunately, excitement about academic prosperity outweighed hesitancy to commit to a university with such low compensation. I am a person of great perseverance, so I will continue my education at this university. But, from this point forward I will use the entirety of my academic network to advise and warn perspective students about the financial situation our wages place us in unless something changes. It is not fair to expect us to teach the students at University of Hawai'i and produce primary research while living on the brink of poverty. Let me be clear, I am not using the word poverty allegorically, graduate students are literally on the precipice of poverty. Please allow this bill to pass so we, the graduate student body of present and future, can continue to contribute positively to this institution and this state.

Thank you for your consideration.



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Wilbert Holck
Executive Director

TESTIMONY BEFORE THE HOUSE COMMITTEE ON
HIGHER EDUCATION

RE: HB 1277 - RELATING TO COLLECTIVE BARGAINING.

THURSDAY, FEBRUARY 2, 2017

COREY ROSENLEE, PRESIDENT
HAWAII STATE TEACHERS ASSOCIATION

Chair Woodson and Members of the Committee:

The Hawaii State Teachers Association **supports HB 1277**, relating to collective bargaining.

Collective bargaining is a human right. According to Article 23(4) of the United Nations Universal Declaration of Human Rights, adopted in 1948, "everyone has the right to form and to join trade unions for the protection of his interests." Likewise, the International Labor Organization, the UN agency responsible for safeguarding international labor standards, states in its Constitution and Declaration of Principles that the freedoms to associate and bargain collectively are fundamental rights of workers worldwide.

Graduate student assistants at the University of Hawai'i must no longer be denied their fundamental human rights. Besieged by budget cuts over the past decade, graduate students have borne increased class sizes and workloads, while suffering the same low pay of \$17,500 since the 2003-2004 academic year. Like educators throughout Hawai'i, they have seen their purchasing power crushed beneath our state's highest-in-the-nation cost of living.

Graduate student assistants are vital to the university community, performing instruction, research, and administrative work. Their labor, like all labor, should be publicly recognized by guaranteeing the right to bargain for fair wages and work conditions. To give graduate student assistants the ability to protect their interests and promote higher education, the Hawaii State Teachers Association asks your committee to **support** this bill.

2 February 2017



TO: Hawai'i State Legislature

FROM: Dr. Mark Hixon

Hsiao Endowed Professor of Marine Biology
University of Hawai'i at Mānoa

contact information: 808-956-6427, hixonm@hawaii.edu, 238A Kaimanawai Pl, Honolulu 96816

RE: Senate Bill 406 and House Bill 1277

Dear Legislators:

Writing as a fellow citizen, I wholeheartedly support efforts to allow graduate students in the **University of Hawai'i System to engage in collective bargaining**. Graduate students are presently the only state employees that are legally not allowed to form a collective bargaining unit. Better compensation for graduate students will result in far reaching benefits: (i) improve the ability of the University to attract top applicants; (ii) encourage experienced graduate student teachers to continue as teaching assistants, resulting in better education for undergraduates; (iii) produce healthier and more productive graduate student researchers, given that present stipends are nearly at poverty level; and (iv) the economy will benefit because a large number of people will now have disposable income to spend in the community. Thank you for your consideration.



The House Committee on Higher Education
Thursday, February 2, 2017
2:00 p.m., Room 309

RE: HB 424, Relating to Collective Bargaining

Attention: Chair Justin Woodson, Vice Chair Mark Hashem and
Members of the Committee

The University of Hawaii Professional Assembly (UHPA) urges the committee to **support HB 424** that reinstates the authority and responsibility for all procurement contracts under chapter 103D, Hawaii revised Statutes, to the University President.

The ability of the University to expedite construction needs for repair and maintenance as well as new construction is essential to enhancing instruction and research. The physical conditions that students and employees experience influence recruitment and retention. For too long the need to remove impediments in procurement has languished resulting in repairs and replacement of buildings being delayed. The University President should have both the authority and the accountability for procurement.

UHPA urges the committee to **support HB 424**.

Respectfully Submitted,

Kristeen Hanselman
Executive Director