

Honolulu, Hawaii

MAR 21 2018

RE: H.B. No. 2114
H.D. 2
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2018
State of Hawaii

Sir:

Your Committee on Labor, to which was referred H.B. No. 2114, H.D. 2, 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 provide that negotiations over the implementation of management decisions affecting the terms and conditions of employment that are subject to collective bargaining are not precluded from collective bargaining negotiations.

Your Committee received testimony in support of this measure from the Hawaii State Teachers Association; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; State of Hawaii Organization of Police Officers; United Public Workers, AFSCME, Local 646, AFL-CIO; Hawaii Fire Fighters Association, Local 1463, IAFF, AFL-CIO; IMUAlliance; O'ahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i; University of Hawaii Professional Assembly; and Hawaii State AFL-CIO. Your Committee received testimony in opposition to this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu and Hawaii Health Systems Corporation.

Your Committee finds that the impact of management decisions that affect terms and conditions of employment, including




procedures and criteria for promotions, transfers, assignments, demotions, layoffs, suspensions, terminations, discharges, or other disciplinary actions, should be mandatory subjects of collective bargaining. Your Committee recognizes that the language in this measure remains consistent with the principle that matters affecting wages, hours, and working conditions are negotiable, subject to section 89-9(d), Hawaii Revised Statutes. Your Committee finds that this measure will serve to clarify much of the past confusion and delays as to what is negotiable and encourage good faith on behalf of all parties in the collective bargaining process.

Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Labor that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2114, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2114, H.D. 2, S.D. 1, and be referred to your Committee on Ways and Means.

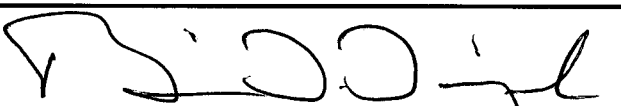
Respectfully submitted on
behalf of the members of the
Committee on Labor,



JILL N. TOKUDA, Chair

The Senate
 Twenty-Ninth Legislature
 State of Hawai'i

Record of Votes
Committee on Labor
LBR

Bill / Resolution No.:*	Committee Referral:	Date:		
HB2114 , HD2	LBR, WAM	3/13/18		
<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)	✓			
ENGLISH, J. Kalani (VC)				✓
CHANG, Stanley	✓			
IHARA, Jr., Les				✓
TANIGUCHI, Brian T.	✓			
TOTAL	3	0	0	2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes