

Honolulu, Hawaii

MAR 21 2017

RE: H.B. No. 810
H.D. 1
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2017
State of Hawaii

Sir:

Your Committee on Judiciary and Labor, to which was referred H.B. No. 810, H.D. 1, 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 allow collective bargaining parties to resolve impasses related to Hawaii Employer-Union Health Benefits Trust Fund (EUTF) contribution disputes through binding arbitration.

Your Committee received testimony in support of this measure from the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and University of Hawaii Professional Assembly. Your Committee received testimony in opposition to this measure from the Department of Budget and Finance and Office of Collective Bargaining.

Your Committee finds that during difficult collective bargaining negotiations, consideration of EUTF contributions as part of the total pay package may assist public employers and exclusive representatives of collective bargaining units to resolve disputes. Your Committee notes that existing law requires contribution amounts to be cost items subject to legislative approval and further notes that, as stated in Conf. Com. Rep. No. 89-84 on S.B. No. 878, Regular Session of Hawaii 1984, a previous



Legislature specified health fund contribution amounts as cost items for which the Legislature retains the authority to approve in tentative agreements.

Accordingly, your Committee has amended this measure by:

- (1) Restoring statutory language that states it is strictly understood that bargaining unit members cannot strike on the issue of contribution amounts made by the State and counties to the EUTF; and
- (2) Inserting an effective date of January 7, 2059, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 810, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 810, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

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


GILBERT S.C. KEITH-AGARAN, Chair



The Senate
Twenty-Ninth Legislature
State of Hawai'i

Record of Votes
Committee on Judiciary and Labor
JDL

Bill / Resolution No.:* HB 810, HDI	Committee Referral: JDL, WAM	Date: 3/14/17		
<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
KEITH-AGARAN, Gilbert S.C. (C)	✓			
RHOADS, Karl (VC)	✓			
GABBARD, Mike				✓
KIM, Donna Mercado	✓			
THIELEN, Laura H.	✓			
TOTAL	4	0	0	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: Kal Rhoads				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes