

Honolulu, Hawaii

MAR 22

, 2018

RE: S.B. No. 2366  
S.D. 2  
H.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Twenty-Ninth State Legislature  
Regular Session of 2018  
State of Hawaii

Sir:

Your Committee on Labor & Public Employment, to which was referred S.B. No. 2366, S.D. 2, entitled:

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

begs leave to report as follows:

The purpose of this measure is to amend processes for the Hawaii Labor Relations Board's (Board) administrative hearings by:

- (1) Standardizing requirements for service of the Board's decisions and orders;
- (2) Extending the time for the Board to hold a hearing on a complaint from 40 days to 90 days;
- (3) Repealing requirements for audit and Board approval of witness fees;
- (4) Establishing a Collective Bargaining Dispute Resolution Special Fund (Fund) and directing the deposit of fines and penalties into the Fund; and
- (5) Appropriating funds for the Board to hire a full-time attorney and chief clerk and for travel and interpreter costs.



The Board supported this measure. The Department of Budget and Finance provided comments on this measure.

Your Committee has amended this measure by inserting unspecified amounts for:

- (1) The time period in which the Board must hold a hearing on a complaint;
- (2) The number of full-time positions for the Board attorney and chief clerk positions funded by the appropriation; and
- (3) The amount appropriated for travel and interpreter costs.

Your Committee notes that while this measure provides for various methods for service of orders and decisions in a timely manner, consideration must be given to ensure accountability in the method of delivery for effective notification.

Should the Committee on Finance deliberate on this measure, your Committee respectfully requests that it consider appropriating funds for:

- (1) One full-time equivalent (1.0 FTE) attorney position;
- (2) One full-time equivalent (1.0 FTE) chief clerk position; and
- (3) Travel and interpreter costs in the amount of \$10,000 for fiscal year 2018-2019.

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. 2366, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2366, S.D. 2, H.D. 1, and be referred to your Committee on Finance.



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

  
\_\_\_\_\_  
AARON LING JOHANSON, Chair



State of Hawaii  
House of Representatives  
The Twenty-ninth Legislature

*HSce 1284-18*

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

|  |   |                                 |             |                |
|--|---|---------------------------------|-------------|----------------|
| <b>Bill/Resolution No.:</b><br><i>SB 2366 SD2</i>  | <b>Committee Referral:</b><br><i>LAB, FIN</i> | <b>Date:</b><br><i>03-15-18</i> |             |                |
| <input type="checkbox"/> The committee is reconsidering its previous decision on the measure.  |   |                                 |             |                |
| <b>The recommendation is to:</b> <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) |   |                                 |             |                |
| <b>LAB Members</b>   | <b>Ayes</b>                                   | <b>Ayes (WR)</b>                | <b>Nays</b> | <b>Excused</b> |
| 1. JOHANSON, Aaron Ling (C)  | ✓   |                                 |             |                |
| 2. HOLT, Daniel (VC)   | ✓   |                                 |             |                |
| 3. EVANS, Cindy  | ✓   |                                 |             |                |
| 4. ICHIYAMA, Linda   | ✓   |                                 |             |                |
| 5. KEOHOKALOLE, Jarrett  | ✓   |                                 |             |                |
| 6. YAMASHITA, Kyle T.  | ✓   |                                 |             |                |
| 7. MATSUMOTO, Lauren Kealohilani   | ✓   |                                 |             |                |
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| <b>TOTAL (7)</b>   | <i>7</i>                                      | <i>0</i>                        | <i>0</i>    | <i>0</i>       |
| <b>The recommendation is:</b> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted<br>If joint referral, _____ did not support recommendation.<br><span style="margin-left: 150px;">committee acronym(s)</span>  |   |                                 |             |                |
| <b>Vice Chair's or designee's signature:</b> <i>[Signature]</i>  |   |                                 |             |                |
| <b>Distribution:</b> Original (White) – Committee    Duplicate (Yellow) – Chief Clerk's Office    Duplicate (Pink) – HMSO  |   |                                 |             |                |