

STAND. COM. REP. NO.

2443

Honolulu, Hawaii

FEB 16 2018

RE: S.B. No. 2366
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 S.B. No. 2366
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:

- (1) Require the Hawaii Labor Relations Board to deliver its orders and decisions by hand, United States Postal Service mail using a delivery confirmation, or electronically;
- (2) Extend the time to hold a hearing on a complaint from forty to ninety days;
- (3) Repeal the requirement for the State to pay for witness fees and to conduct an audit; and
- (4) Establish a collective bargaining dispute resolution special fund.

Your Committee received testimony in support of this measure from the Hawaii Labor Relations Board. Your Committee received comments on this measure from the Department of Budget and Finance.



Your Committee finds that electronic filing services cut costs for the State by eliminating postage costs and staff time to mail decisions and orders; extension of the requirement to hold hearings on complaints allows more time for discovery and the filing of dispositive motions by all parties; and monetary penalties that return back to the general fund directly and indirectly benefit the public employers rather than directly benefitting the aggrieved party. Accordingly, your Committee finds that this measure will cut costs, provide more time to all parties prior to a hearing, and ensure that monetary penalties directly benefit aggrieved parties.


Additionally, your Committee finds that this measure should be amended to address ongoing capacity issues at the Hawaii Labor Relations Board, by providing for additional staff to assist with the backlog and funding for mandated and essential cost items that can no longer be absorbed by the existing base budget.

Accordingly, your Committee has amended this measure by:

- (1) Inserting an appropriation to the Hawaii Labor Relations Board for one full-time equivalent (1.0 FTE) attorney position, one full-time equivalent (1.0 FTE) chief clerk position, and travel and interpreter costs; and
- (2) Inserting an effective date of January 1, 2050, to encourage further discussion.

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 S.B. No. 2366, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2366, 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



