

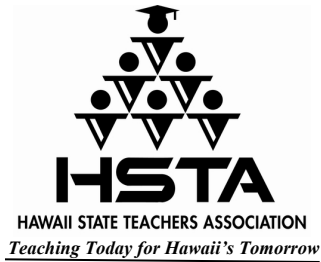
HB1725 HD2

Measure Title: RELATING TO COLLECTIVE BARGAINING.
Report Title: Collective Bargaining; Employee Payroll Deductions
Description: Requires public employees in collective bargaining units to provide written notification to the exclusive representative to discontinue payroll assignments within a certain time period. Requires the exclusive representative to forward the notification to the employer within ten business days of receipt. (HB1725 HD2)
Companion: [SB2360](#)
Package: None
Current Referral: LBR, WAM
Introducer(s): JOHANSON, HOLT, ICHIYAMA, YAMASHITA

<u>Sort by</u> <u>Date</u>		<u>Status Text</u>
1/12/2018	H	Prefiled.
1/17/2018	H	Introduced and Pass First Reading
1/17/2018	H	Referred to LAB, FIN, referral sheet 3
2/5/2018	H	Bill scheduled to be heard by LAB on Thursday, 02-08-18 9:00AM in House conference room 309.
2/8/2018	H	The committees on LAB recommend that the measure be PASSED, WITH AMENDMENTS. The votes were as follows: 7 Ayes: Representative(s) Johanson, Holt, Evans, Ichiyama, Keohokalole, Yamashita, Matsumoto; Ayes with reservations: none; Noes: none; and Excused: none.
2/15/2018	H	Reported from LAB (Stand. Com. Rep. No. 456-18) as amended in HD 1, recommending passage on Second Reading and referral to FIN.
2/15/2018	H	Passed Second Reading as amended in HD 1 and referred to the committee(s) on FIN with none voting aye with reservations; none voting no (0) and Representative(s) DeCoite, Ing, McDermott, Nakamura, Souki, Todd excused (6).
2/20/2018	H	Bill scheduled to be heard by FIN on Thursday, 02-22-18 1:30PM in House conference room 308.
2/22/2018	H	The committee(s) on FIN recommend(s) that the measure be deferred until 02-23-18.
2/22/2018	H	Bill scheduled for decision making on Friday, 02-23-18 3:45PM in conference room 308.
2/23/2018	H	The committees on FIN recommend that the measure be PASSED, WITH AMENDMENTS. The votes were as follows: 11 Ayes: Representative(s) Luke, Cullen, Cachola, Fukumoto, Gates, Holt, Keohokalole, Kobayashi, Nakamura, Yamashita, Ward; Ayes with reservations: none; Noes: none; and 4 Excused: Representative(s) DeCoite, Lowen, Todd, Tupola.
3/2/2018	H	Reported from FIN (Stand. Com. Rep. No. 1058-18) as amended in HD 2, recommending passage on Third Reading.
3/2/2018	H	Forty-eight (48) hours notice Tuesday, 03-06-18.
3/6/2018	H	Passed Third Reading as amended in HD 2 with none voting aye with reservations; none voting no (0) and Representative(s) Woodson excused (1). Transmitted to Senate.
3/8/2018	S	Received from House (Hse. Com. No. 274).
3/8/2018	S	Passed First Reading.
3/8/2018	S	Referred to LBR, WAM.
3/9/2018	S	The committee(s) on LBR has scheduled a public hearing on 03-13-18 3:00PM in conference room 229.

S = Senate | **H** = House | **D** = Data Systems | **\$** = Appropriation measure | **ConAm** = Constitutional Amendment

Some of the above items require Adobe Acrobat Reader. Please visit [Adobe's download page](#) for detailed instructions.



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TESTIMONY BEFORE THE SENATE COMMITTEE ON
LABOR

RE: HB 1725, HD 2 - RELATING TO COLLECTIVE BARGAINING

TUESDAY, MARCH 13, 2018

WILBERT HOLCK, EXECUTIVE DIRECTOR
HAWAII STATE TEACHERS ASSOCIATION

Chair Tokuda and Members of the Committee:

The Hawaii State Teachers Association **strongly supports HB 1725, HD 2,** relating to collective bargaining.

Our state's commitment to collective bargaining must be reaffirmed under the pending threat of the Supreme Court's ruling in *Janus v. AFSCME*, which could fundamentally undermine Hawaii's dedication to labor management peace by constraining collective bargaining representatives' ability to collect resources from their members and, in turn, diminishing public employees' ability to negotiate with management and represent their members' interests.

In *Janus v. AFSCME*, the petitioners asked the Court to invalidate public-sector agency shop arrangements under the First Amendment. A ruling in favor of Janus would mean public sector employees may leave their unions and not pay dues, while the unions, in turn, would still be legally-bound to represent them. Such a scenario would be financially damaging to the labor movement.

Accordingly, this bill requires employees wishing to opt out of union membership to provide written notification within thirty days of the anniversary of their initial membership date in any given year of their desire to discontinue payroll deductions to their exclusive representative. This will allow unions to better manage the impact of potential member resignations in the wake of a probable *Janus* ruling.

Additionally, this measure provides a mutual benefit to both the employer and exclusive representatives by defining the time period under which an employee may

leave a union. In so doing, this measure prevents an employee from joining, leaving, then re-joining a union at different points in the year, which creates confusion in tracking and implementing the employee's payroll deductions. Restricting the period of time during which an employee may leave the union to a thirty day window closes this loophole in state law and provides better harmony between the employer's and exclusive representatives' accounting systems.

To strengthen Hawai'i's longstanding dedication to protecting collective bargaining, the Hawaii State Teachers Association asks your committee to **support** this bill.



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
The Senate
Committee on Labor

Testimony by
Hawaii Government Employees Association

March 13, 2018


H.B. 1725, H.D. 2 – RELATING TO COLLECTIVE BARGAINING

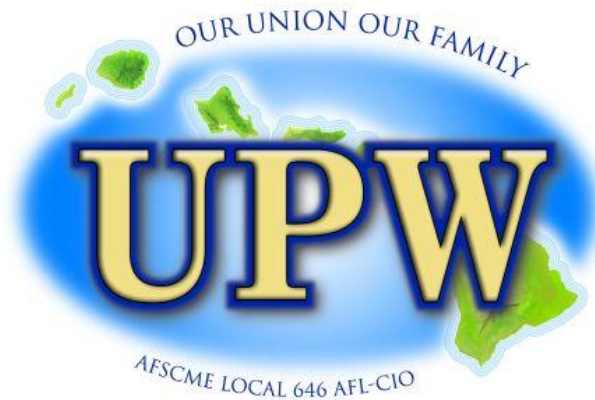
The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO strongly supports the purpose and intent of H.B. 1725, H.D. 2, which requires public employees to provide written notification to the employee's exclusive representative to discontinue the employee's payroll assignments and mandates the exclusive representative to provide a copy of the notification to the employer within ten business days of receipt from the employee.

As currently written, Ch. 89-4, Hawaii Revised Statutes, allows for any employee who is represented by an exclusive representative to submit any type of notification to either the employer or the exclusive representative that requests an end to their payroll assignment. The amendments outlined in H.B. 1725, H.D. 2 create a systematic process and timeline for an employee to discontinue their payroll assignment by requiring written notification to the exclusive representative and mandating that the exclusive representative provide a copy of the notification to the employer within ten business day of receipt. This standardized process will ensure that the flow of information between the employee, the exclusive representative, and the employer regarding payroll assignments is streamlined and efficient.

Thank you for the opportunity to testify in strong support of H.B. 1725, H.D. 2.

Respectfully submitted,


for Randy Perreira
Executive Director



THE HAWAII STATE SENATE

The Twenty-Ninth Legislature
Regular Session of 2018

COMMITTEE ON LABOR

Senator Jill N. Tokuda, Chair
Senator J. Kalani English, Vice Chair

DATE OF HEARING: Tuesday, March 13, 2018
TIME OF HEARING: 3:00 p.m.
PLACE OF HEARING: State Capitol
415 South Beretania Street
Conference Room 229

TESTIMONY ON HOUSE BILL 1725 HD2 RELATING TO COLLECTIVE BARGAINING

By DAYTON M. NAKANELUA,
State Director of the United Public Workers (UPW),
AFSCME Local 646, AFL-CIO

My name is Dayton M. Nakanelua, State Director of the United Public Workers, AFSCME, Local 646, AFL-CIO. The UPW is the exclusive bargaining representative for approximately 12,000 public employees, which include blue collar non-supervisory employees in Bargaining Unit 01 and institutional, health and correctional employees in Bargaining Unit 10, in the State of Hawaii and various counties. The UPW also represents about 1,500 members of the private sector.

HB1725 HD2 develops a payroll notification process that will bring stability to the system by requiring the public employees in collective bargaining units to provide written notification to the exclusive representative to discontinue payroll assignments within a certain period. It also requires the exclusive representative to forward the notification to the employer within ten business days of receipt. The requirements for written notification are clear and straightforward.

The UPW supports HB1725 HD2.

Thank you for the opportunity to submit this testimony.

SHOPO



March 9, 2018

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Tenari R. Ma'afala

VICE PRESIDENT

Malcolm Lutu

TREASURER

James "Kimo" Smith

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Don Faumuina

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MAUI CHAPTER CHAIR

Mark Vickers

U.S. MAIL/FAX: 808-587-7220

The Honorable Jill N. Tokuda
Chair
Senate Committee on Labor
Hawaii State Capitol, Room 202
415 South Beretania Street
Honolulu, HI 96813

Re: **HB1725** [Relating to Collective Bargaining]

Dear Chair Tokuda, Vice-Chair English and Honorable Committee Members:

I write to you on behalf of the State of Hawaii Organization of Police Officers ("SHOPO") in support of HB1725. We believe this bill provides for an orderly procedure by which payroll assignments are processed, including the requirement for written notification.

We thank you for allowing us to be heard and respectfully hope your committee will support this bill.

Respectfully submitted,

TENARI MA'AFALA
President

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HB-1725-HD-2

Submitted on: 3/12/2018 2:54:48 PM

Testimony for LBR on 3/13/2018 3:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Melodie Aduja	Testifying for OCC Legislative Priorities Committee, Democratic Party of Hawai'i	Support	No

Comments:

LATE



HAWAII FIRE FIGHTERS ASSOCIATION

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1018 PALM DRIVE, HONOLULU, HAWAII 96814-1929
TELEPHONE (808) 949-1566 FAX: (808) 952-6003
WEBSITE: www.hawaiifirefighters.org

THE SENATE
THE TWENTY-NINTH LEGISLATURE
REGULAR SESSION OF 2018
March 13, 2018

Committee on Labor

Testimony by
Hawaii Fire Fighters Association

H.B. No.1725-, H.D. 2 RELATING TO COLLECTIVE BARGAINING

The Hawaii Fire Fighters Association (HFFA), Local 1463, IAFF, AFL-CIO, represents more than 1,900 professional active-duty and 800 retired fire fighters throughout the State. The HFFA, on behalf of our members, **supports H.B. No. 1725, H.D. 2** which establishes a systematic reporting process for employees to provide written notice to the employee's exclusive representative of notification of the employee's discontinuation of payroll assignments and for the exclusive representative to notify the employer.

The reporting process proposed in H.B No. 1725, H.D. 2 establishes a reasonable timeline for all of the parties, employee, employers and exclusive representatives, to notify and be notified of changes to the employee's payroll changes. It should make the more efficient and hopefully will mitigate unnecessary corrections to employee payroll deductions.

HFFA appreciates your Committee's favorable consideration of this measure and thank you for the opportunity to testify.