

**STATE OF HAWAII
OFFICE OF COLLECTIVE BARGAINING
EXECUTIVE OFFICE OF THE GOVERNOR**
235 S. BERETANIA STREET, SUITE 1201
HONOLULU, HAWAII 96813-2437

January 30, 2017

TESTIMONY TO THE
SENATE COMMITTEE ON JUDICIARY AND LABOR, AND
SENATE COMMITTEE ON HIGHER EDUCATION
For Hearing on Thursday, February 2, 2017
1:15 p.m., Conference Room 224

By

JAMES K. NISHIMOTO
OFFICE OF COLLECTIVE BARGAINING, CHIEF NEGOTIATOR

**Senate Bill No. 406
Relating to Collective Bargaining**

(WRITTEN TESTIMONY ONLY)

CHAIRPERSON JOHANSON AND KAHELE, VICE CHAIR HOLT AND KIDANI AND
MEMBERS OF THE COMMITTEES:

Thank you for the opportunity to testify on this important measure.

Senate Bill No. 406 proposes to establish a collective bargaining unit for full-time graduate student assistants employed by the University of Hawaii. Delays formation of the graduate student assistant collective bargaining unit until July 1, 2018.

The Office of Collective Bargaining (OCB) **DOES NOT SUPPORT** this bill for the following reasons:

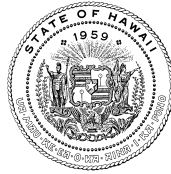
- Unlike other public employees, who are career, long term employees engaged in collective bargaining, a graduate student employment is temporary and is not a career or profession. However, the OCB defers to

the University of Hawaii on the definition of employee versus graduate students.

- Establishing UH graduate students as collective bargaining unit 15 could have significant cost increases for both the UH and the State since mandatory subjects of collective bargaining cover wages, hours, condition of employment, and fringe benefits.

Thank you for this opportunity to testify on this measure.

DAVID Y. IGE
GOVERNOR



WESLEY K. MACHIDA
DIRECTOR

LAUREL A. JOHNSTON
DEPUTY DIRECTOR

EMPLOYEES' RETIREMENT SYSTEM
HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND
OFFICE OF THE PUBLIC DEFENDER

**STATE OF HAWAII
DEPARTMENT OF BUDGET AND FINANCE**

P.O. BOX 150
HONOLULU, HAWAII 96810-0150

ADMINISTRATIVE AND RESEARCH OFFICE
BUDGET, PROGRAM PLANNING AND
MANAGEMENT DIVISION
FINANCIAL ADMINISTRATION DIVISION
OFFICE OF FEDERAL AWARDS MANAGEMENT (OFAM)

**TESTIMONY BY WESLEY K. MACHIDA
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE
TO THE SENATE COMMITTEES ON JUDICIARY AND LABOR
AND HIGHER EDUCATION
ON
SENATE BILL NO. 406**

**February 2, 2017
1:15 p.m.
Room 224**

RELATING TO COLLECTIVE BARGAINING

This measure allows graduate students employed by the University of Hawaii (UH) to collectively bargain by amending Chapter 89-6, HRS, to remove the exemption from collective bargaining for full-time graduate student assistants employed by UH and authorizing a new Bargaining Unit 15.

The Department of Budget and Finance opposes this measure. UH has outlined several reasons why it is best to keep collective bargaining out of the management of these student-employees in their testimony. The cost implications of allowing graduate student assistants to collectively bargain are a special concern, especially in UH's current fiscal situation.



UNIVERSITY OF HAWAII SYSTEM

Legislative Testimony

Testimony Presented Before the
Senate Committees on Judiciary and Labor and Higher Education
February 2, 2017 at 1:15 p.m.

By
Risa E. Dickson
Vice President for Academic Planning and Policy
University of Hawai'i System

SB 406 – RELATING TO COLLECTIVE BARGAINING

Chairs Keith-Agaran and Kahele, Vice Chairs Rhoads and Kidani, and members of the Committees:

I am respectfully submitting testimony on behalf of the University of Hawai'i regarding Senate Bill 406 – Relating to Collective Bargaining – which proposes to amend §89-6, Hawai'i Revised Statutes (HRS), to allow full-time graduate student assistants employed by the University of Hawai'i to organize for collective bargaining purposes and to form a new bargaining unit. In addition, this bill proposes to amend §89-11, HRS, and provide the Hawai'i Labor Relations Board the requisite authority to assist in the resolution of impasse.

The University of Hawai'i opposes the passage of this measure.

As we explained in prior testimony submitted in response to similar bills introduced in the 2015 and 2016 legislative sessions, in deliberating on the concept of allowing University-employed graduate student assistants to be included in collective bargaining, there are several issues that the Legislature should seriously consider.

First and foremost, graduate student assistants are *students* first and *employees* second. Graduate student assistants are student learners. They are at the University, not for a job as an assistant, but rather to learn as much about their chosen fields of study as their individual time and talents will allow. These graduate students are mentored and supervised by our rank 3, 4, and 5 faculty members who hold PhDs or other terminal level degrees, and have many years of proven professional competence and experience including evidence of proficiency in teaching and/or research.

Indeed, though a large part of our efforts as University mentors is aimed at teaching graduate assistants the actual subject matter, an equally large part is devoted to developing graduate student assistants as academic professionals with real job skills in research techniques, teaching expertise, etc. contributing to scholarly and research disciplines at national and international levels. The graduate assistants learn these essential skill sets while in their graduate assistant positions under the guidance and supervision of our current faculty employees.

In this respect, the duties and assignments of a graduate assistant differ from that of a faculty member. Our faculty members in ranks 3, 4, and 5 who mentor graduate student assistants are established professionals required to teach classes and/or develop research programs without active supervision or management oversight. The purpose of an assistantship is to train and mentor a graduate student in specific skill sets with the explicit goal of increasing their competitiveness as the graduate student enters a professional academic career.

Simply stated, the University's priority is degree completion for our graduate student assistants, not providing them with "career government service" levels of pay, benefits and job security while they are in training to be the best in their future career fields.

This leads directly to a second consideration, which is that a "graduate student assistant" is not a career position; the assistantship is a transitory stage and a status that runs directly contrary to *all* other positions in the established collective bargaining units under §89-6, HRS. The fact is there are no long term career opportunities for graduate student assistant positions at the University or anywhere else. As noted, a graduate student assistantship is similar to an on-the-job training or apprenticeship program; the assistantship is not a career choice. The assistantship is, however, an important stepping stone for graduate students to become faculty and established professionals and to achieve the ultimate goal of a faculty career in higher education and job security *upon duly passing probation* (a concept that this measure does not address).

Creating a bargaining unit comprised entirely of temporary graduate student assistants, many of them non-residents, contributes little toward the important and core public policy of fostering a stable and prosperous middle class in Hawai'i dedicated to sustainable, long-term careers in local government service. Indeed, this is ***precisely*** why we have strong, cohesive bargaining units for committed government careers such as teachers, firefighters, police officers, corrections officers, clerical and other staff support, and custodial, grounds and trades employees.

This leads directly to a third consideration, namely that there will be significant and *enduring* cost increases to both the University and the State of Hawai'i should graduate student assistants become employees with the right to collectively bargain.

The current levels of compensation for graduate student assistants are competitive, particularly when one takes into consideration that they are provided with tuition waivers. For example, UH Mānoa full time resident graduate student tuition currently ranges between **\$7,644 to \$12,012** per semester, while non-resident tuition ranges between **\$18,324 to \$22,752** per semester. We afford our graduate student assistants with tuition waivers so they can concentrate on being first-rate *students* and achieve degree completion in timely manner.

Graduate student assistants may also receive monetary stipends that can vary by the educational program in which they are enrolled. The current level of compensation is a

considerable cost to the University and constitutes a significant amount of the financial assistance provided to graduate student assistants. As well, our graduate assistants who have 50% appointments are eligible to enroll in the *same* health and benefit plans (medical, prescription drugs, dental, vision and life insurance) as our career employees who are members of bargaining units. Further, our graduate assistants who are full-time students are also exempt from the FICA tax.

Currently, the University has flexibility in dealing with these sorts of very significant costs, but pursuant to this measure, tuition waivers, stipends and other benefits we provide to our graduate assistants would become “cost items” and would thereafter be subject to **mandatory bargaining**. These costs would further extend to include membership in the State Employees’ Retirement System as provided to employees in Chapter 88, HRS, which would add pension contribution costs to the State and tax payers. In addition, any increased enrollment in the Employer-Union Trust Fund for health insurance benefits will also add increased expenses to the University and State for contributions to the system.

Note further that all compensation collectively bargained for may be treated as wages that will be subject to employment and income taxes – an issue graduate student assistants may not be considering as it relates to tuition waivers that involve substantial sums of money.

In sum, this measure would create a bargaining unit that is absolutely unique in the State, comprised of transitory members who remain students first with the intention of learning a skill set to increase their competitiveness when they graduate and begin a professional career. The University views this measure as drastically impacting the intent and purpose of graduate assistantships, greatly increasing our operational expenses, and above all else, blurring the lines between students and employees and impacting our ability to train our graduate students and ensure timely degree completion.

Based on the above, we request that this measure be held.

Thank you for the opportunity to testify on this measure.



The Senate Committee on Judiciary and Labor
and
The Senate Committee on Higher Education and the Arts
Thursday, February 1, 2017
1:15 PM, Conference Room 224

RE: **SB 406, Relating to Collective Bargaining**

Attention: Chairs Gilbert S.C. Keith-Agaran and Kai Kahele, Vice Chairs Karl Rhoads and Michelle Kidani and Members of the Respective Committees

The University of Hawaii Professional Assembly (UHPA) urges the joint Senate committee to **support passage of SB 406** that amends Section 89-6 of the Hawai'i Revised Statute to create bargaining unit 15, allowing full-time graduate students employed at the University of Hawai'i to collectively bargain.

UHPA would like to be transparent that we are not asserting jurisdiction over representation of the graduate students. UHPA's role as defined by its membership would not allow UHPA to represent them.

Graduate students are essential to instruction, research and mentoring that contributes to the overall success of the University of Hawai'i, and are in the full sense of the term, employees, with continuing access to positions based on job and academic performance.

When representing faculty, UHPA has had to work with graduates students, and on occasion, have provided guidance. The current University of Hawai'i policy governing Graduate Students does not provide the proper protections of this group of employees. Collective Bargaining would allow this group the following:

- Negotiation of grievance procedures
- Protection from arbitrary and capricious behavior
- Negotiation of salary, wages and benefits

**University of Hawaii
Professional Assembly**



UHPA has witnessed situations where Graduate Students have been collateral damage as a result of disputes, resulting in delays in graduation. Passage of this measure would provide the appropriate protections resulting from these types of actions.

UHPA supports the passage of SB 406.

Respectfully submitted,

Kristeen Hanselman
Executive Director

**University of Hawaii
Professional Assembly**



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 Judiciary and Labor
Committee on Higher Education

Testimony by
Hawaii Government Employees Association

February 2, 2017

S.B. 406 – RELATING TO COLLECTIVE BARGAINING

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO strongly supports the concept of allowing graduate student assistants employed by the University of Hawaii to be included in an appropriate collective bargaining unit, as proposed in S.B. 406.

Graduate assistants employed by the University have encountered numerous work related issues in the past, including budget set backs and increases in class size and workload, in addition to the high cost of living in Hawaii. The language proposed in S.B. 406 is the most viable legislation as it not only removes the current exclusion of this group from collectively bargaining but also creates a unique bargaining unit with a dispute mechanism to resolve differences in negotiations.

Thank you for the opportunity to testify in strong support of S.B. 406.

Respectfully submitted,

Randy Perreira
Executive Director

The Twenty-Ninth Legislature
Regular Session of 2017

THE SENATE

Committee on Judiciary and Labor

Senator Gilbert S. C. Keith-Agaran, Chair

Senator Karl Rhoads, Vice Chair

Committee on Higher Education

Senator Kaiali'i Kahele, Chair

Senator Michelle N. Kidani, Vice Chair

State Capitol, Conference Room 224

Thursday, February 2, 2017; 1:15 p.m.

**STATEMENT OF THE ILWU LOCAL 142 ON S.B. 406
RELATING TO COLLECTIVE BARGAINING**

The ILWU Local 142 supports S.B. 406, which establishes a collective bargaining unit for full-time graduate student assistants employed by the University of Hawaii, and delays the formation of the graduate student assistant collective bargaining unit until July 1, 2018.

As employees of the University of Hawaii, UH graduate assistants are entitled by law and the State Constitution to organize and form a union for purposes of collective bargaining. The first step will be to create a new bargaining unit, which S.B. 406 does, which will allow graduate assistants the right to collective bargaining that other public employees already enjoy. The fact that graduate assistants may not be employed in their positions for a long period of time should not deny them the right to negotiate for wages, benefits, and working conditions as other public employees do.

The ILWU urges passage of S.B. 406. Thank you for the opportunity to share our views on this issue.



HAWAII

AMERICANS FOR DEMOCRATIC ACTION

OFFICERS	DIRECTORS			MAILING ADDRESS
John Bickel, President 23404	Guy Archer	Jan Lubin	Cameron Sato	PO. Box
Alan Burdick, Vice President	Dylan Armstrong	Jenny Nomura	George Simson	Honolulu
Marsha Schweitzer, Treasurer	Glorria Borland	Stephen O'Harrow	Emmanuel Zibakalam	Hawai'i 96823
Karin Gill, Secretary	Chuck Huxel			

January 31 , 2017

TO: Honorable Chair Keith-Agaran Kahele and Members of Judiciary and Higher Education Committees

RE: SB 406 Relating to Collective Bargaining
Support for hearing on Feb.2

Americans for Democratic Action is an organization founded in the 1950s by leading supporters of the New Deal and led by Patsy Mink in the 1970s. We are devoted to the promotion of progressive public policies.

We support SB 406 as it would establish a collective bargaining unit for full-time graduate student assistants employed by the University of Hawaii. The history of the betterment of workers is the history of unionization. Unionization of graduate students gives them a voice and some collective power to improve their status and thereby improve the university experience for themselves as well as the professors and students they serve. Graduate students are being exploited by a system that is giving them sub-minimum wages that grew out of prior practices in which grad students previously did occasional work that might justifiably allow for less than optimum compensation. It is time to give them a path to justice.

Thank you for your consideration.

Sincerely,

John Bickel
President



Randy Perreira
President

HAWAII STATE AFL-CIO

345 Queen Street, Suite 500 • Honolulu, Hawaii 96813

The Twenty-Ninth Legislature, State of Hawaii
Hawaii State Senate
Committee on Judiciary and Labor
&
Committee on Higher Education

Telephone: (808) 597-1441

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Testimony by
Hawaii State AFL-CIO
February 2, 2017

S.B. 406 – RELATING TO
COLLECTIVE BARGAINING

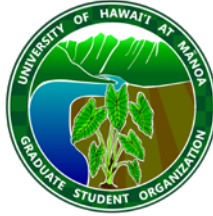
The Hawaii State AFL-CIO strongly supports S.B. 406 which establishes a collective bargaining unit for full-time graduate student assistants employed by the University of Hawaii.

Having the ability to collectively bargain will give University of Hawaii graduate assistants a unified voice to discuss their working conditions, wages, and a number of other benefits to help improve their quality of life and work environment. Collective bargaining will help solve workplace problems and provide a grievance process to ensure each situation is handled appropriately and fairly. The Hawaii State AFL-CIO strongly urges the passage of S.B. 406.

Thank you for the opportunity to testify.

Respectfully submitted,

Randy Perreira
President



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Date: Thursday, February 2, 2017

Time: 1:15 PM

Place: Conference Room 224

To: Senate Committee on Judiciary and Labor
Senator Gilbert S.C. Keith-Agaran, Chair
Senator Karl Rhoads, Vice Chair

Senate Committee on Higher Education
Senator Kaiali'i Kahele, Chair
Senator Michelle N. Kidani, Vice Chair

Re: Support for SB406 Relating to Collective Bargaining

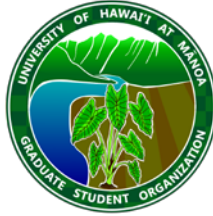
Thank you for the opportunity to provide testimony. The Graduate Student Organization at the University of Hawai'i at Manoa (GSO) stands in **strong support** of this bill. The GSO represents approximately 4,700 graduate students at the University of Hawai'i at Mānoa.

SB406 if passed, will amend HRS 89-6 to clarify that graduate assistants are not "student help", create bargaining unit 15 for graduate assistants, and provide a conflict resolution mechanism for said bargaining unit. We requested that the committee amend the bill to remove references and restrictions to full-time and part-time graduate assistants. All graduate assistants are paid for 20 hours a week, which in most instances is considered part-time. We ask the committee recognize that this is not always an accurate reflection of the time graduate assistants work. The nature of our work as researchers and educators makes it difficult to ascertain a precise hourly measurement.

Over the past three years we met with UH System executives to negotiate in good faith. UH executives concluded those negotiations when they authored Executive Policy 5.223. We requested that graduate assistants be allotted sick days. Ep. 5.223 states "Graduate assistants do not earn vacation and sick leave." The mechanism that UH executives have created for graduate assistants to stay home when they are sick cannot be implemented and requires more work than simply showing up to the office.

We requested that graduate assistants receive wages competitive with UH peer and benchmark institution and competing West Coast universities. Our request was flatly dismissed and Ep. 5.223 leaves the current pay scale intact. While UH executives did make a legislative request for more funding for graduate assistants, it is woefully inadequate, and they have made no commitment to fully resolve compensation issues.

We bring up these issues for two reasons. We attempted to negotiate with UH System without the right to engage in collective bargaining. It did not work. Secondly, UH System executives have indicated that they prefer to resolve labor disputes through the legislative process. We maintain that collective bargaining is a more efficient process and that UH System



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executives have erred in placing the responsibility for directly managing personnel and resolving labor disputes on the state legislature. Doing so represents a radical departure from the way the state handles labor and personnel matters. There is no evidence to suggest that it is a better method and UH System executives have not examined the broader implications.

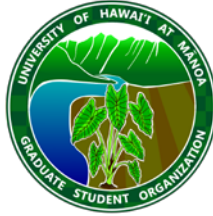
The majority of teaching assistants (GTA) are in charge of teaching their own classes. They do all the grading and lecturing, as well as design the syllabus and maintain decorum in the classroom. Our research assistants (GRA) are often working on multiple independent projects at the direction of an assigned supervisor. Other graduate assistants (GA) are working in administrative offices performing the same duties as any administrative office worker.

Graduate Assistants in every role meet the common-law test's criteria for employment as well as the so-called ABC test's criteria. Graduate Assistants do not control their own hours and have employment taxes withheld from their State of Hawai'i issued paychecks. Graduate Assistants are required to attend trainings and undergo periodic evaluations. A Graduate Assistant's supervisor, often a University recognized employee, controls the means and manner in which a Graduate Assistant carries out their work. Graduate Assistants further qualify as employees under HRS 377-1 and HRS 377-4.6(C). While the "students first employees second" argument is a worthwhile theoretical discussion of identity, the law is quite clear on this topic.

In August 2016, the National Labor Relations Board reversed a Bush-era decision to prevented graduate assistants at private universities from engaging in collective bargaining. They found that it "deprived an entire category of workers of the protections of the Act without a convincing justification." (National Labor Relations Board, 2016) We are now seeing unions form at private universities such as Columbia University, Harvard University, and many more. There are currently 33 graduate assistant unions at public universities in the United States. They include every public university on the West Coast. (CGEU, 2017) We are not seeking to depart from the norm. Collective bargaining for graduate assistants has become the norm.

Graduate students are an integral part of the UH system and the local economy. While attending UH, we constitute a committed learning community, do important research, and perform a substantial proportion of teaching and administrative duties. Unfortunately, we are poorly compensated and are vulnerable to exploitation and poor treatment. As individuals, we stand little chance of success in demanding better treatment and compensation, and the long history of failed attempts at improvements proves this to be true. Our only hope for improving our own situations, then, is to collectively bargain with the University administration. **For these reasons, we strongly urge you to support SB406.**

References:



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"Coalition of Graduate Employee Unions." *United States - Coalition of Graduate Employee Unions*. N.p., n.d. Web. 28 Jan. 2017.

"NLRB.gov." *Board: Student Assistants Covered by the NLRA / NLRB*. N.p., n.d. Web. 28 Jan. 2017.

Thank you for the opportunity to provide testimony. My name is Ashleigh Smith, and I am a graduate student at the University of Hawai'i at Mānoa (UHM). I am writing in strong support of SB406 to grant collective bargaining rights to graduate students employed by the University of Hawai'i (UH).

Graduate students are an integral part of the UH system and the local economy. While attending UH, we constitute a committed learning community, do important research, and perform a substantial proportion of the teaching duties. Unfortunately, we are poorly compensated and are vulnerable to exploitation and poor treatment. As individuals, we stand little chance of success in demanding better treatment and compensation, and the long history of failed attempts at improvements proves this to be true. Our only hope for improving our own situations, then, is to collectively bargain with the University administration.

In addition, this past summer the National Labor Relations Board ruled that graduate research and teaching assistants are entitled to collective bargaining under the National Labor Relations Act. Let's change the law in our great state to give graduate students like me and many other residents equal rights under the law.

For these reasons, I strongly urge you to support SB406.

Respectfully submitted,

Ashleigh Smith

Thank you for the opportunity to provide testimony. My name is Bradley Rentz, and I am a graduate student at the University of Hawai'i at Mānoa (UHM). I am writing in strong support of SB406 to grant collective bargaining rights to graduate students employed by the University of Hawai'i (UH).

Graduate students are an integral part of the UH system and the local economy. While attending UH, we constitute a committed learning community, do important research, and perform a substantial proportion of the teaching duties. Unfortunately, we are poorly compensated and are vulnerable to exploitation and poor treatment. As individuals, we stand little chance of success in demanding better treatment and compensation, and the long history of failed attempts at improvements proves this to be true. Our only hope for improving our own situations, then, is to collectively bargain with the University administration.

In addition, this past summer the National Labor Relations Board ruled that graduate research and teaching assistants are entitled to collective bargaining under the National Labor Relations Act. Let's change the law in our great state to give graduate students like me and many other residents equal rights under the law.

For these reasons, I strongly urge you to support SB406.

Respectfully submitted,

Bradley Rentz

Date: Thursday, February 2nd, 2017
Time: 1:15pm
Place: Conference Room 224

To: Senate Committee on Judiciary and Labor
Senator Gilbert S.C. Keith-Agaran, Chair
Senator Karl Rhoads, Vice Chair

Senate Committee on Higher Education
Senator Kaiali'i Kahele, Chair
Senator Michelle N. Kidani, Vice Chair

Re: Support for SB406 Relating to Collective Bargaining

Dear Chair Keith-Agaran, Vice Chair Rhoads, Chair Kahele, Vice Chair Kidani and Members of the Committee on Judiciary and Labor and Higher Education:

Thank you for the opportunity to provide testimony. My name is Hannah Liebreich, and I am a graduate student at the University of Hawai'i at Mānoa (UHM). I am writing in strong support of SB406 to grant collective bargaining rights to graduate students employed by the University of Hawai'i (UH).

I personally support collective bargaining because I have had to deal with job insecurity due to hospitalization. Additionally, I have witnessed my officemate struggle with taking leave when she gave birth to her son and again as she continues to provide childcare for her infant while working as a GA.

Graduate students are an integral part of the UH system and the local economy. While attending UH, we constitute a committed learning community, do important research, and perform a substantial proportion of the teaching duties. Unfortunately, we are poorly compensated and are vulnerable to exploitation and poor treatment. As individuals, we stand little chance of success in demanding better treatment and compensation, and the long history of failed attempts at improvements proves this to be true. Our only hope for improving our own situations, then, is to collectively bargain with the University administration. For these reasons, I strongly urge you to support SB406.

Respectfully submitted,

Hannah Liebreich

From: mailinglist@capitol.hawaii.gov
To: [JDLTestimony](#)
Cc:
Subject: *Submitted testimony for SB406 on Feb 2, 2017 13:15PM*
Date: Monday, January 30, 2017 2:40:33 PM

SB406

Submitted on: 1/30/2017

Testimony for JDL/HRE on Feb 2, 2017 13:15PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Javier Mendez-Alvarez	Individual	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

Date: Thursday, February 2nd, 2017
Time: 1:15 PM
Place: Conference Room 224

To: Senate Committee on Higher Education
Senator Kaiali'i Kahele, Chair
Senator Michelle N. Kidani, Vice Chair

Senate Committee on Judiciary and Labor
Senator Gilbert S.C. Keith-Agaran, Chair
Senator Karl Rhoads, Vice Chair

Re: Support for SB 406 Relating to Collective Bargaining

Dear Chair Kahele, Vice Chair Kidani, Chair Keith-Agaran, Vice Chair Rhoads, and Members of the Senate Committee on Higher Education and Senate Committee on Judiciary and Labor,

Thank you for the opportunity to provide testimony. My name is Jessica Schaefer, and I am a graduate student in the Biology department at the University of Hawai'i at Mānoa. I am writing in strong support of SB 406 to grant collective bargaining rights to graduate students employed by the University of Hawai'i (UH).

A major consideration of prospective graduate students in choosing a program, myself included, is their compensation and standard of living. The lack of collective bargaining rights at the University of Hawai'i and compensation that is inadequate to meet the high cost living in Hawai'i were significant deterrents for me. It was only with reservations that I accepted a position at UH Mānoa, and I find my current financial situation to be even more challenging than I anticipated. To attract the highest quality graduate students, who will be researchers, TAs, and leaders at the University of Hawai'i, the graduate student body should be granted the right to collectively bargain and the ability to advocate for their working conditions as state employees. Not only will this benefit the morale of graduate students, it will put the University on par with other top research institutions, improve its attractiveness to the strongest graduate students around the country, and have a positive trickle-down effect on the undergraduate student body through graduate students' roles as teachers and mentors.

Graduate students are an integral part of the UH system and the local economy. While attending UH, we constitute a committed learning community, do important research, and perform a substantial proportion of the teaching duties. Unfortunately, we are poorly compensated and are vulnerable to exploitation and poor treatment. As individuals, we stand little chance of success in demanding better treatment and compensation, and the long history of failed attempts at improvements proves this to be true. Our only hope for improving our own situations, then, is to collectively bargain with the University administration. For these reasons, I strongly urge you to support SB 406.

Respectfully submitted,

Jessica Schaefer
Graduate Student of Zoology
University of Hawai'i at Mānoa

Date: Thursday, February 2nd, 2017
Time: 1:15 PM
Place: Conference Room 224

To: Senate Committee on Higher Education
Senator Kaiali'i Kahele, Chair
Senator Michelle N. Kidani, Vice Chair

Senate Committee on Judiciary and Labor
Senator Gilbert S.C. Keith-Agaran, Chair
Senator Karl Rhoads, Vice Chair

Re: Support for SB 406 Relating to Collective Bargaining

Dear Chair Kahele, Vice Chair Kidani, Chair Keith-Agaran, Vice Chair Rhoads, and Members of the Senate Committee on Higher Education and Senate Committee on Judiciary and Labor,

Thank you for the opportunity to provide testimony. My name is Maria Costantini, and I am a graduate student at the University of Hawai'i at Mānoa. I am writing in strong support of SB 406 to grant collective bargaining rights to graduate students employed by the University of Hawai'i (UH).

The University of Hawai'i at Mānoa has one of the worst stipend to living wage ratios in the entire country, with the living wage rate almost twice the amount of the stipend provided. Most graduate students, particularly PhD students will spend at least 5 years here and it's becoming increasingly difficult to do so. I know many fellow graduate students that have to take out student loans in addition to their stipends just to be able to make it through. This is not a common practice on the mainland. In fact, I did not know any other students who were forced to take out loans at the university where I received my Master's degree from. Without a collective bargaining unit to fight for fair wages, we are being taken advantage of and this is ultimately hurting the university as top tier graduate applicants are choosing universities back on the mainland where they can afford to live the next 5+ years of their lives. If the University of Hawai'i system wants to stay competitive in the research world, graduate students must be able to fight for fairer conditions.

Graduate students are an integral part of the UH system and the local economy. While attending UH, we constitute a committed learning community, do important research, and perform a substantial proportion of the teaching duties. Unfortunately, we are poorly compensated and are vulnerable to exploitation and poor treatment. As individuals, we stand little chance of success in demanding better treatment and compensation, and the long history of failed attempts at improvements proves this to be true. Our only hope for improving our own situations, then, is to collectively bargain with the University administration. For these reasons, I strongly urge you to support SB 406.

Respectfully submitted,

Maria Costantini

Date: Thursday, February 2nd, 2017
Time: 1:15 PM □
Place: Conference Room 224

To: Senate Committee on Higher Education
Senator Kaiali'i Kahele, Chair
Senator Michelle N. Kidani, Vice Chair

Senate Committee on Judiciary and Labor
Senator Gilbert S.C. Keith-Agaran, Chair
Senator Karl Rhoads, Vice Chair

Re: Support for SB 406 Relating to Collective Bargaining

Dear Chair Kahele, Vice Chair Kidani, Chair Keith-Agaran, Vice Chair Rhoads, and Members of the Senate Committee on Higher Education and Senate Committee on Judiciary and Labor,

Thank you for the opportunity to provide testimony. My name is Mireille Steck, and I am a former graduate student at the University of Hawai'i at Mānoa. I am writing in strong support of SB 406 to grant collective bargaining rights to graduate students employed by the University of Hawai'i (UH).

It has been my experience that many graduate students are expected to work longer hours than other state employees while being paid near minimum wages. Studying is already very taxing on a person, and having to do so while lacking health care, decent wages, and standardized working conditions is inhumane. In my time at the University of Hawai'i, I have encountered many over-worked graduate students who also take up second jobs to attempt to pay their way through school. In doing so, this leaves less time for study and mental health recovery, which negatively impacts the quality of work a student is able to turn out. Having struggled through a Master's degree at the University of Hawai'i, I know first hand how difficult this was and believe collective bargaining would have improved both my work and my experience.

Graduate students are an integral part of the UH system and the local economy. While attending UH, we constitute a committed learning community, do important research, and perform a substantial proportion of the teaching duties. Unfortunately, we are poorly compensated and are vulnerable to exploitation and poor treatment. As individuals, we stand little chance of success in demanding better treatment and compensation, and the long history of failed attempts at improvements proves this to be true. Our only hope for improving our own situations, then, is to collectively bargain with the University administration. For these reasons, I strongly urge you to support SB 406.

Respectfully submitted,

Mireille Steck

Date: Thursday, February 2nd, 2017
Time: 1:15 PM
Place: Conference Room 224

To: Senate Committee on Higher Education
Senator Kaiali'i Kahele, Chair
Senator Michelle N. Kidani, Vice Chair

Senate Committee on Judiciary and Labor
Senator Gilbert S.C. Keith-Agaran, Chair
Senator Karl Rhoads, Vice Chair

Re: Support for SB 406 Relating to Collective Bargaining

Dear Chair Kahele, Vice Chair Kidani, Chair Keith-Agaran, Vice Chair Rhoads, and Members of the Senate Committee on Higher Education and Senate Committee on Judiciary and Labor,

Thank you for the opportunity to provide testimony. My name is Thomas Iwanicki, and I am a Ph.D. student at the University of Hawai'i at Mānoa, and the Graduate Student Representative to the Biology Department in the College of Natural Sciences. I am writing in strong support of SB 406 to grant collective bargaining rights to graduate students employed by the University of Hawai'i (UH).

At state universities across this nation, graduate students represented by unions are better compensated, healthier, and more productive. Graduate students represent a significant proportion of teaching contact hours with undergraduates. Experience is vital to effective teaching. The current system at UH does not encourage experienced teaching assistants to continue on teaching assistantships because the compensation is unlivable; in fact, it achieves the opposite. The best teaching assistants are often in positions to acquire research assistantships (through external grants, not funded by the college) which pay wages reflective of the high cost of living in Hawai'i. We are losing good teachers because of bad policy. Furthermore, many graduate students aspire to be teachers and teaching assistantships offer essential experience. In light of low wages, and no meaningful way to advocate for better wages, experienced graduate students elect not to teach. Teaching assistants are suffering and undergraduates are being deprived of a better education. And finally, better wages for graduate students will benefit the economy, resulting in a greater number of people with disposable income to spend in their community.

Graduate students are an integral part of the UH system and the local economy. While attending UH, we constitute a committed learning community, do important research, and perform a substantial proportion of the teaching duties. Unfortunately, we are poorly compensated and are vulnerable to exploitation and poor treatment. As individuals, we stand little chance of success in demanding better treatment and compensation, and the long history of failed attempts at improvements proves this to be true. Our only hope for improving our own situations, then, is to collectively bargain with the University administration. For these reasons, I strongly urge you to support SB 406.

Respectfully submitted,

Thomas Iwanicki

Date: February 2, 2017
Time: 1:15 pm
Place: Conference Room 224

To: Senate Committee on Judiciary and Labor
Senator Gilbert S.C. Keith-Agaran, Chair
Senator Karl Rhoads, Vice Chair

Senate Committee on Higher Education
Senator Kaiali'i Kahele, Chair
Senator Michelle N. Kidani, Vice Chair

Re: Support for SB406, Relating to Collective Bargaining

I am writing in strong support of SB406, Relating to Collective Bargaining for Graduate Student Assistants. I am a graduate assistant at the University of Hawaii at Manoa, working as a teaching assistant for 104 students. Graduate assistants in Hawaii are working longer hours for stagnant pay; taking on increasing amounts of teaching, research, and administrative responsibilities; facing unprecedented levels of student debt and rising tuition and fees; finding themselves caught in gaps of underfunding or no funding; and scraping by barely able to afford the cost of food, rent, and utilities, much less books and supplies.

If the University of Hawaii prides itself as a leading research institution, then it should recognize the available existing research on the effects of graduate assistant unionization. A 2013 study found that unionized graduate assistants gave their advisers higher ratings for "accepting them as competent professionals, serving as a role model to them, being someone they wanted to become like, and being effective in his or her role" than non-unionized graduate assistants, and that they were "more likely to report respect for differing opinions in their university" and had "higher stipends, and greater pay fairness and adequacy." (Rogers et al. 2013) A 2000 study refuted "claims by university administrators that collective bargaining inhibits the educational relationship between faculty and graduate students," finding that "faculty do not have a negative attitude toward graduate student collective bargaining," that "faculty feel graduate assistants are employees of the university, support the right of graduate students to bargain collectively, and believe collective bargaining is appropriate for graduate students," and that "based on their experiences, collective bargaining does not inhibit their ability to advise, instruct, or mentor their graduate students." (Hewitt 2000) The data on graduate assistant unions are clear: when graduate assistants can collectively bargain, wages and benefits are more just, as are relationships between faculty and graduate assistants.

With one of the highest rates of unionization in the country, the State of Hawaii should reinforce our rich tradition of labor rights and the contributions of its unions to the fabric of our society. Graduate assistants are an integral part of the local community and economy, providing valuable services and resources for the people of Hawaii. Recognizing the right of graduate assistants to collectively bargain would strengthen the quality of Hawaii's secondary educational institutions and the living standards and working conditions of its graduate assistants. As the National Labor Relations Board and 17 states have clarified, graduate assistants are workers with the right to

organize, collectively bargain, and form unions. The State of Hawaii should join these other states in recognizing the right of graduate assistants to collectively bargain. For these reasons, I strongly urge you to pass SB406.

Thank you for the opportunity to testify,
Timothy Zhu

Date: Thursday, February 2nd, 2017
Time: 1:15 PM
Place: Conference Room 224

To: Senate Committee on Higher Education
Senator Kaiali'i Kahele, Chair
Senator Michelle N. Kidani, Vice Chair

Senate Committee on Judiciary and Labor
Senator Gilbert S.C. Keith-Agaran, Chair
Senator Karl Rhoads, Vice Chair

Re: Support for SB 406 Relating to Collective Bargaining

Dear Chair Kahele, Vice Chair Kidani, Chair Keith-Agaran, Vice Chair Rhoads, and Members of the Senate Committee on Higher Education and Senate Committee on Judiciary and Labor,

Thank you for the opportunity to provide testimony. My name is Van Wishingrad, and I am a graduate student at the University of Hawai'i at Mānoa. I am writing in strong support of SB 406 to grant collective bargaining rights to graduate students employed by the University of Hawai'i (UH).

The compensation scale for graduate assistants has not been increased since 2003/2004. Previously, the scale was increased every year from 1987/88 to 1992/93 and every three or four years between 1993/94 and 2003/2004. Policy set by President of the University of Hawai'i System has scheduled the next review for 2018.

Graduate student employees are rehired each year, and sometimes each semester, many students are afraid to complain about being overworked and/or mistreated. Loss of employment midyear could be devastating as deadlines for financial assistance are either prior to the start of fall or early in the fall semester.

Graduate student employees have no say over insurance premiums. Our insurance premiums are higher than faculty yet constituting a more significant portion of our salary. Moreover, we are not afforded sick days or family leave. Thus, sick graduate student employees risk being fired if they choose to stay home to avoid spreading illness to students.

Several other universities in the country have already established collective bargaining rights for graduate students, including: University of Wisconsin-Madison, University of Michigan, University of Oregon, University of Florida, Florida A&M, University of South Florida, University of Wisconsin-Milwaukee, University of Kansas, University of Massachusetts, University of Iowa, Wayne State University, New York University, and the University of California. I urge Hawaii to follow precedent and allow collective bargaining for graduate students at the University of Hawaii.

Graduate students are an integral part of the UH system and the local economy. While attending UH, we constitute a committed learning community, do important research, and perform a substantial proportion of the teaching duties. Unfortunately, we are poorly compensated and are vulnerable to exploitation and poor treatment. As individuals, we stand little chance of success in demanding better treatment and compensation, and the long history of failed attempts at improvements proves this to be true. Our only hope for improving our own situations, then, is to collectively bargain with the University administration. For these reasons, I strongly urge you to support SB 406.

Respectfully submitted,
Van Wishingrad

Date: February 2, 2017
Time: 1:15 pm
Place: Conference Room 224

To: Senate Committee on Judiciary and Labor
Senator Gilbert S.C. Keith-Agaran, Chair
Senator Karl Rhoads, Vice Chair

Senate Committee on Higher Education
Senator Kaiali'i Kahele, Chair
Senator Michelle N. Kidani, Vice Chair

Re: Support for SB406, Relating to Collective Bargaining

As a graduate assistant for the University of Hawaii at Manoa, I make barely enough to scrape by. One of my fellow graduate assistants can't maintain a healthy weight because their graduate position doesn't pay them enough to cover both rent and food. We are highly qualified, well educated individuals that are doing cutting edge work, we deserve the right to collective bargaining. We deserve the right to speak together with one voice- just like everyone else. I work incredibly hard, I shouldn't have to worry about being able to afford to eat. Please lend your support of this bill.

Thank you for this opportunity to testify,
Wailea Collins