

Honolulu, Hawaii

MAR 19 2019

RE: H.B. No. 157  
H.D. 1  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirtieth State Legislature  
Regular Session of 2019  
State of Hawaii

Sir:

Your Committee on Labor, Culture and the Arts, to which was referred H.B. No. 157, 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:

- (1) Expand the types of employee information government agencies are required to disclose, upon written request, to employee exclusive representatives; and
- (2) Require that information regarding new hire employees under the collective bargaining disclosure requirements be provided to the appropriate exclusive representatives within an unspecified payroll period.

Your Committee received testimony in support of this measure from the University of Hawaii Professional Assembly; United Public Workers, AFSCME, Local 646, AFL-CIO; and Hawaii Government Employees Association, AFSCME, Local 152, AFL-CIO. Your Committee received comments on this measure from the Department of Human Resources Development and Department of Education.

Your Committee finds that exclusive representatives represent each and every employee in a bargaining unit and as such, need to



have pertinent employment information within a certain period of time to be able to best serve their members. However, under existing law, the information to be provided to exclusive representatives is limited and often times, may not be provided in a timely manner. This measure will ensure that exclusive representatives have the necessary information to contact employees to provide them with information regarding available protections and benefits.

Your Committee notes the concerns of the Department of Education that because of the timing of when new hires begin employment and the fact that physical workplace addresses may frequently change, the Department may have difficulty meeting all of the requirements of this measure. As such, as this bill moves through the legislative process, your Committee will work with the Department to craft language that addresses the Department's concerns while ensuring that the exclusive representative receives the necessary information in a timely manner.

Your Committee has amended this measure by changing the effective date to October 1, 2019, to give the Department of Education additional time after the start of the school year to be able to meet the requirements of this measure.


As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 157, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 157, 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 Labor, Culture and  
the Arts,

  
BRIAN T. TANIGUCHI, Chair

The Senate  
Thirtieth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Labor, Culture and the Arts**  
**LCA**

Bill / Resolution No.:*	Committee Referral:	Date:		
<i>HB 157, HD1</i>	<i>LCA, WAM</i>	<i>3/12/2019</i>		
<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
TANIGUCHI, Brian T. (C)	✓			
IHARA, Jr., Les (VC)				✓
CHANG, Stanley	✓			
GABBARD, Mike	✓			
FEVELLA, Kurt				✓
<b>TOTAL</b>	<i>3</i>	<i>0</i>	<i>0</i>	<i>2</i>
Recommendation:				
<input checked="" type="checkbox"/> Adopted <span style="margin-left: 200px;"><input type="checkbox"/> Not Adopted</span>				
Chair's or Designee's Signature:				
				
<b>Distribution:</b>				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

\*Only one measure per Record of Votes