

JAN 24 2019

A BILL FOR AN ACT

RELATING TO COLLECTIVE BARGAINING.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 89-8, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:
3 "(a) The employee organization which has been certified by
4 the board as representing the majority of employees in an
5 appropriate bargaining unit shall be the exclusive
6 representative of all employees in the unit. As exclusive
7 representative, it shall have the right to act for and negotiate
8 agreements covering all employees in the unit and shall be
9 responsible for representing the interests of all such employees
10 without discrimination and without regard to employee
11 organization membership[-]; provided that it shall not be
12 required to provide grievance representation to employees who
13 neither pay dues nor dues equivalents and who decline to pay
14 reasonable costs of that representation. Any other provision
15 herein to the contrary notwithstanding, whenever two or more
16 employee organizations which have been duly certified by the
17 board as the exclusive representatives of employees in



1 bargaining units merge, combine, or amalgamate or enter into an
2 agreement for common administration or operation of their
3 affairs, all rights and duties of such employee organizations as
4 exclusive representatives of employees in such units shall inure
5 to and shall be discharged by the organization resulting from
6 such merger, combination, amalgamation, or agreement, either
7 alone or with such employee organizations. Election by the
8 employees in the unit involved, and certification by the board
9 of such resulting employee organization shall not be required."

10 SECTION 2. This Act does not affect rights and duties that
11 matured, penalties that were incurred, and proceedings that were
12 begun before its effective date.

13 SECTION 3. Statutory material to be repealed is bracketed
14 and stricken. New statutory material is underscored.

15 SECTION 4. This Act shall take effect upon its approval.

16

INTRODUCED BY:


by request



S.B. NO. 1147

Report Title:

Collective Bargaining; Employee Organizations; Grievance Representation

Description:

Allows, but does not mandate, employee organizations, as exclusive representatives of public employees, to refuse grievance representation to bargaining unit members who neither pay dues nor dues equivalents and who decline to pay reasonable costs of the representation.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

