

JAN 26 2022

---

# A BILL FOR AN ACT

---

RELATING TO COLLECTIVE BARGAINING.

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

1       SECTION 1. The legislature finds that the office of  
2 collective bargaining and managed competition was established  
3 within the office of the governor to assist the governor in the  
4 implementation and review of the managed process of public-  
5 private competition for particular government services through  
6 the managed competition process and negotiations between the  
7 State and the exclusive representatives on matters of wages,  
8 hours, and other negotiable terms and conditions of employment.  
9 The legislator further finds that the governor is required to  
10 appoint as the chief negotiator for the State, an individual who  
11 is experienced in labor relations, to head the office. The  
12 legislature also finds that for some time, the director of human  
13 resources development has been serving as the chief negotiator  
14 for the State.

15       The legislature believes that the duties and  
16 responsibilities of chief negotiator for the State and director  
17 of human resources development require full-time engagement by



1 the individuals holding those positions, respectively, and  
2 therefore finds it inappropriate for one individual to  
3 concurrently hold both positions.

4 The purpose of this Act is to clarify that the director of  
5 human resources development shall not hold the position of chief  
6 negotiator of the State.

7 SECTION 2. Section 89A-1, Hawaii Revised Statutes, is  
8 amended by amending subsections (b) to read as follows:

9 "(b) The position of chief negotiator for the State is  
10 hereby established to head the office. The chief negotiator  
11 shall be experienced in labor relations~~[-]~~; provided that the  
12 director of human resources development shall not hold the  
13 position of chief negotiator. The governor shall appoint the  
14 chief negotiator and may also appoint deputy negotiators to  
15 assist the chief negotiator. The governor, at pleasure, may  
16 remove the chief negotiator and any deputy negotiator. All  
17 other employees shall be appointed by the chief negotiator. All  
18 employees in the office of collective bargaining and managed  
19 competition shall be included in any benefit programs generally  
20 applicable to employees of the State."



1       SECTION 3. Statutory material to be repealed is bracketed  
2 and stricken. New statutory material is underscored.

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

4

INTRODUCED BY:

Lyn De Corte



# S.B. NO. 3339

**Report Title:**

Office of Collective Bargaining and Managed Competition; Chief Negotiator of the State; Director of Human Resources Development

**Description:**

Clarifies that the Director of Human Resources Development shall not hold the position of Chief Negotiator of the State.

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

