

Honolulu, Hawaii

FEB 03, 2022

RE: H.B. No. 1789  
H.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-First State Legislature  
Regular Session of 2022  
State of Hawaii

Sir:

Your Committee on Labor & Tourism, to which was referred H.B. No. 1789 entitled:

"A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Establish that the representative of labor on the Hawaii Labor Relations Board (HLRB) shall be a person selected by a majority of the exclusive representatives of the collective bargaining units; and
- (2) Provide a timeframe for the Governor to appoint the representative of labor following submission of the nominee's name.

Your Committee received testimony in support of this measure from the United Public Workers, AFSCME Local 646, AFL-CIO; State of Hawaii Organization of Police Officers; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; Hawaii State Teachers Association; Hawaii Fire Fighters Association; and one individual. Your Committee received testimony in opposition to this measure from the Office of Collective Bargaining. Your Committee received comments on this measure from the Hawaii Labor Relations Board and Department of Budget and Finance.



Your Committee finds that providing a single name to the Governor that has been vetted by the exclusive representatives, with a clear timeframe for the name to be transmitted to the Senate for consideration as well as a default process for Senate confirmation if the deadline is missed, ensures greater fairness, predictability, and transparency in the appointment process to the HLRB. While your Committee appreciates the concerns raised in testimony, your Committee believes this measure should be allowed to advance and receive further discussion amongst stakeholders.

Accordingly, your Committee has amended this measure by:

- (1) Changing the effective date to December 25, 2040, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Labor & Tourism that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1789, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1789, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Respectfully submitted on  
behalf of the members of the  
Committee on Labor & Tourism,

  
RICHARD H.K. ONISHI, Chair



State of Hawaii  
 House of Representatives  
 The Thirty-first Legislature

H SCR 2-22

Record of Votes of the Committee on Labor & Tourism

Bill/Resolution No.: <i>HB 1789</i>		Committee Referral: <i>LAT, JHA, FIN</i>		Date: <i>02/01/2022</i>	
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.					
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)					
LAT Members		Ayes	Ayes (WR)	Nays	Excused
1. ONISHI, Richard H.K. (C)		/			
2. SAYAMA, Jackson D. (VC)		/			
3. BELATTI, Della Au		/			
4. HOLT, Daniel		/			
5. KOBAYASHI, Dale T.		/			
6. QUINLAN, Sean		/			
7. TAKAYAMA, Gregg		/			
8. OKIMOTO, Val		/			
TOTAL (8)		8			
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted					
If joint referral, _____ did not support recommendation. <small>committee acronym(s)</small>					
Vice Chair's or designee's signature: <i>[Signature]</i>					
Distribution: Original (White) – Committee    Duplicate (Yellow) – Chief Clerk's Office    Duplicate (Pink) – HMSO					