

STAND. COM. REP. NO. 3746

Honolulu, Hawaii

APR 06 2022

RE: H.B. No. 1789
H.D. 2
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1789, H.D. 2, S.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) Require the representative of labor on the Hawaii Labor Relations Board to be a person whose name has been selected by a simple majority of the exclusive representatives of the collective bargaining units and submitted to the Governor for appointment; and
- (2) Require the Governor to submit the name of the nominee to the Senate for advice and consent no later than twenty days after exclusive representatives' submittal of the nominee's name to the Governor, and if the Governor fails to do so, requires the exclusive representatives who recommended the nominee to transmit the nominee's name directly to the Senate for confirmation.

Your Committee received testimony in support of this measure from the Hawaii State Teachers Association; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; State of Hawaii



Organization of Police Officers; and United Public Workers, AFSCME Local 646, AFL-CIO. Your Committee received testimony in opposition to this measure from the Office of Collective Bargaining.

Your Committee finds that the Hawaii Labor Relations Board is composed of three members: a representative of labor, a representative of management, and the Chairperson who shall represent the public interest. Under existing law, the representative of labor is appointed by the Governor from a list of three nominees submitted by a majority of the exclusive representatives and must be confirmed by the Senate; however, the Governor also appoints both the representative of management and the Chairperson. Since decisions and rulings by the Hawaii Labor Relations Board directly impact every unionized state and county government employee in Hawai'i, it is fair and reasonable to allow the exclusive representatives the right to collectively nominate the representative of labor. This measure will ensure that the exclusive representatives' collective voice is strengthened.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1789, H.D. 2, S.D. 1, and recommends that it pass Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



KARL RHOADS, Chair



