STAND. COM. REP. NO. 3746

Honolulu, Hawaii

## APR 0 6 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 Hawaii, 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

## The Senate Thirty-First Legislature State of Hawai'i

## Record of Votes Committee on Judiciary JDC

Bill / Resolution No.:*	Committee Referral:		Date:		
HB 1789, HD2, SD1	LCA, JDC			03-31-22	
The Committee is reconsidering its previous decision on this measure.					
If so, then the previous decision was to:					
The Recommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye	Aye (W	R) Nay	Excused
RHOADS, Karl (C)					
KEOHOKALOLE, Jarrett (VC)					
ACASIO, Laura					
GABBARD, Mike					
KIM, Donna Mercado		/			
LEE, Chris					
FEVELLA, Kurt					
TOTAL		7			
Recommendation:					
Adopted Not Adopted					
Chair's or Designee's Signature:					
<b>Distribution:</b> Original File with Committee Re	Yellow Report Clerk's Office		Pink Drafting Age	Goldenrod ency Committee File Copy	

<sup>\*</sup>Only one measure per Record of Votes