



# GOV. MSG. NO. 1339

EXECUTIVE CHAMBERS  
KE KE'ENA O KE KIA'ĀINA

JOSH GREEN, M.D.  
GOVERNOR  
KE KIA'ĀINA

July 9, 2024

The Honorable Ronald D. Kouchi  
President of the Senate,  
and Members of the Senate  
Thirty-Second State Legislature  
State Capitol, Room 409  
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki  
Speaker, and Members of the  
House of Representatives  
Thirty-Second State Legislature  
State Capitol, Room 431  
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on July 9, 2024, the following bill was signed into law:

HB1640 HD1 SD1 CD1

RELATING TO COLLECTIVE BARGAINING.  
**ACT 234**

Sincerely,

Josh Green, M.D.  
Governor, State of Hawai'i

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# A BILL FOR AN ACT

RELATING TO COLLECTIVE BARGAINING.

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

1 SECTION 1. Section 89-9, Hawaii Revised Statutes, is  
2 amended by amending subsection (f) to read as follows:

3 "(f) The repricing of classes within an appropriate  
4 bargaining unit ~~[may]~~ shall be negotiated and determined as  
5 follows:

6 (1) ~~[At the request of]~~ Within thirty days of receipt of a  
7 written request from the exclusive representative to  
8 negotiate and at times allowed under the collective  
9 bargaining agreement, the employer shall negotiate the  
10 repricing of classes within the bargaining unit. The  
11 negotiated repricing actions that constitute cost  
12 items shall be subject to the requirements in section  
13 89-10; and

14 (2) ~~[If repricing has not been negotiated under paragraph~~  
15 ~~(1), the employer of each jurisdiction shall ensure~~  
16 ~~establishment of procedures to periodically review, at~~  
17 ~~least once in five years, unless otherwise agreed to~~



1 ~~by the parties, the repricing of classes within the~~  
2 ~~bargaining unit. The repricing of classes based on~~  
3 ~~the results of the periodic review shall be at the~~  
4 ~~discretion of the employer. Any appropriations~~  
5 ~~required to implement the repricing actions that are~~  
6 ~~made at the employer's discretion shall not be~~  
7 ~~construed as cost items.] If the employer fails to~~  
8 ~~timely initiate a negotiation in compliance with~~  
9 ~~paragraph (1) or the parties cannot reach an agreement~~  
10 ~~within one hundred fifty days after the exclusive~~  
11 ~~representative's written request to negotiate or by~~  
12 ~~January 31 of a year in which the agreement is due to~~  
13 ~~expire, whichever is earlier, an impasse exists and~~  
14 ~~the impasse procedures in section 89-11 shall apply;~~  
15 provided that the parties may mutually agree on repricing  
16 procedures in conformance with this section; provided further  
17 that a repricing request can only be submitted once per  
18 occupation in any eighteen-month period; provided further that  
19 impasse procedures shall not apply if the impasse occurs within  
20 one hundred eighty days after a collective bargaining agreement  
21 has been reached between the employer and the exclusive



1 representative of the bargaining unit. Notwithstanding the  
2 foregoing, no more than fifteen repricing impasse procedures  
3 shall be active at any time. If an impasse procedure would have  
4 triggered, but cannot begin because it would exceed the maximum  
5 fifteen active repricing impasse procedures, the parties shall  
6 continue to negotiate until such time as the repricing impasse  
7 procedure begins; provided that preference for new repricing  
8 impasse procedures shall be given to repricings in the order in  
9 which they began."

10 SECTION 2. Section 89-11, Hawaii Revised Statutes, is  
11 amended by amending subsection (b) to read as follows:

12 "(b) An impasse during the term of a collective bargaining  
13 agreement on reopened items or items regarding a supplemental  
14 agreement shall not be subject to the impasse procedures in this  
15 section[-]; provided that an employer's failure to timely  
16 initiate a negotiation on repricing of classes within a  
17 bargaining unit pursuant to section 89-9(f)(1) or the parties'  
18 failure to reach an agreement on repricing within the timeframe  
19 set forth in section 89-9(f)(2) shall constitute an impasse, to  
20 which the impasse procedures in this section shall apply. The  
21 parties may mutually agree on an impasse procedure, but if the



1 procedure culminates in an arbitration decision, the decision  
2 shall be pursuant to subsection (f)."

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

5 SECTION 4. This Act shall take effect on July 1, 2024, and  
6 shall be repealed on June 30, 2029; provided that any  
7 negotiations on repricing pursuant to this Act that started  
8 prior to June 30, 2029, may continue after this Act is repealed.

APPROVED this 9th day of July , 2024



GOVERNOR OF THE STATE OF HAWAII



HB No. 1640, HD 1, SD 1, CD 1


THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: May 1, 2024  
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirty-Second Legislature of the State of Hawaii, Regular Session of 2024.



Scott K. Saiki  
Speaker  
House of Representatives

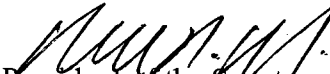



Brian L. Takeshita  
Chief Clerk  
House of Representatives

**THE SENATE OF THE STATE OF HAWAI'I**

Date: May 1, 2024  
Honolulu, Hawai'i 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate of the Thirty-Second Legislature of the State of Hawai'i, Regular Session of 2024.

  
President of the Senate

  
Clerk of the Senate