
A BILL FOR AN ACT

RELATING TO GENERAL EMPLOYEE ORIENTATION.

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

1 SECTION 1. Section 78-64, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "~~{}~~\$78-64~~{}~~ **New employees; orientation on benefits and**

4 **rights.** (a) Each newly hired employee shall be provided a
5 general orientation on the employee's benefits and rights within
6 twenty calendar days of being hired. The orientation shall be
7 conducted by the employee's respective jurisdiction.

8 (b) The exclusive representative who represents the
9 employee, if any, may attend the employee's general orientation
10 and present information on the employee's benefits and rights.

11 (c) Should the employer violate any provision of this
12 section, the employee or the exclusive representative, if
13 applicable, may file a complaint with the Hawaii labor relations
14 board pursuant to chapter 89.

15 ~~{e}~~ (d) As used in this section, "exclusive
16 representative" has the same meaning as in section 76-11."



1 SECTION 2. Section 89-13, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

3 "(a) It shall be a prohibited practice for a public
4 employer or its designated representative wilfully to:

5 (1) Interfere, restrain, or coerce any employee in the
6 exercise of any right guaranteed under this chapter;

7 (2) Dominate, interfere, or assist in the formation,
8 existence, or administration of any employee
9 organization;

10 (3) Discriminate in regard to hiring, tenure, or any term
11 or condition of employment to encourage or discourage
12 membership in any employee organization;

13 (4) Discharge or otherwise discriminate against an
14 employee because the employee has signed or filed an
15 affidavit, petition, or complaint or given any
16 information or testimony under this chapter, or
17 because the employee has informed, joined, or chosen
18 to be represented by any employee organization;

19 (5) Refuse to bargain collectively in good faith with the
20 exclusive representative as required in section 89-9;



- 1 (6) Refuse to participate in good faith in the mediation
2 and arbitration procedures set forth in section 89-11;
- 3 (7) Refuse or fail to comply with any provision of this
4 chapter;
- 5 (8) Violate the terms of a collective bargaining
6 agreement;
- 7 (9) Replace any nonessential employee for participating in
8 a labor dispute; [~~or~~]
- 9 (10) Give employment preference to an individual employed
10 during a labor dispute and whose employment
11 termination date occurs after the end of the dispute,
12 over an employee who exercised the right to join,
13 assist, or engage in lawful collective bargaining or
14 mutual aid or protection through the labor
15 organization involved in the dispute[~~or~~]; or
- 16 (11) Fail to comply with the general orientation
17 requirements set forth in section 78-64."

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

20 SECTION 4. This Act shall take effect on July 1, 2024.



Report Title:

Hawaii Labor Relations Board; General Employee Orientation;
Violation; Complaint

Description:

Allows an employee or the exclusive representative, if applicable, to file a complaint with the Hawaii Labor Relations Board if the employer fails to comply with section 78-64, Hawaii Revised Statutes, relating to general employee orientation.
(SD1)

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