

STAND. COM. REP. NO. 2688

Honolulu, Hawaii

FEB 16 2024

RE: S.B. No. 3317  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Second State Legislature  
Regular Session of 2024  
State of Hawaii

Sir:

Your Committees on Labor and Technology and Higher Education,  
to which was referred S.B. No. 3317 entitled:

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

beg leave to report as follows:

The purpose and intent of this measure is to establish a  
collective bargaining unit for graduate assistants employed by the  
University of Hawaii and community college system.

Your Committees received testimony in support of this measure  
from the University of Hawaii Professional Assembly; National  
Education Association; Hawaii State Teachers Association; United  
Public Workers, AFSCME Local 646, AFL-CIO; Democratic Party of  
Hawai'i; Hawaii Government Employee Association, AFSCME Local 152,  
AFL-CIO; UNITE HERE Local 5; Americans for Democratic Action; ILWU  
Local 142; the Democratic Party of Hawai'i Labor Caucus; Academic  
Labor Union; Democratic Party of Hawai'i Education Caucus; Academic  
Labor United; Law Office of Lance D. Collins; Hawai'i Workers  
Center; National Education Association National Council on Higher  
Education; and one hundred eighty-one individuals.

Your Committees received testimony in opposition to this  
measure from one individual.



Your Committees received comments on this measure from the Hawai'i Labor Relations Board, Department of Budget and Finance, and University of Hawai'i System.

Your Committees find that the Hawai'i Labor Relations Board determined that graduate assistants at the University of Hawaii are public employees as defined under section 89-2, Hawaii Revised Statutes (HRS). Your Committees further find that the Hawaii Labor Relations Board also concluded that graduate assistants are not included in bargaining units (1), (2), (4) through (6), (9) through (12), (14), or (15) that are identified in section 89-6, HRS. Therefore, this measure establishes a collective bargaining unit for graduate assistants to allow these public employees the right and ability to collectively bargain the terms and conditions of their jobs.

Your Committees note the concerns raised during the public hearing on this measure relating to graduate assistants' benefits received as both students and workers. Testimony of the Department of Budget and Finance and University of Hawaii provided that the tuition waiver received by University of Hawaii graduate assistants is not considered taxable income. In addition to receiving a graduate level education, graduate assistants enjoy a plethora of other benefits, including counseling, mentoring, and other benefits exclusive to students at the University.

Your Committees have amended this measure by:


- (1) Inserting a definition of "graduate assistants"; and
- (2) Inserting an effective date of July 1, 2055, to encourage further discussion.

As affirmed by the records of votes of the members of your Committees on Labor and Technology and Higher Education that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3317, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3317, S.D. 1, and be referred to your Committee on Ways and Means.



Respectfully submitted on  
behalf of the members of the  
Committees on Labor and  
Technology and Higher  
Education,

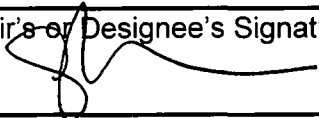
  
\_\_\_\_\_  
DONNA MERCADO KIM, Chair

  
\_\_\_\_\_  
HENRY J.C. AQUINO, Chair



The Senate  
 Thirty-Second Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Labor and Technology**  
**LBT**

Bill / Resolution No.:* <b>588817</b>	Committee Referral: <b>LBT/HRE, WAM</b>	Date: <b>2/13/24</b>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
AQUINO, Henry J.C. (C)	X			
MORIWAKI, Sharon Y. (VC)	X			
IHARA, Jr., Les				X
LEE, Chris				X
FEVELLA, Kurt	X			
<b>TOTAL</b>	<b>3</b>			<b>2</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

\*Only one measure per Record of Votes

The Senate  
Thirty-Second Legislature  
State of Hawai'i

Record of Votes  
Committee on Higher Education  
HRE

Bill / Resolution No.:* <b>SB 3317 <del>SBT</del></b>	Committee Referral: <b>LBT/HRE, WAM</b>	Date: <b>02-13-24</b>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
KIM, Donna Mercado (C)	✓			
KIDANI, Michelle N. (VC)	✓			
FUKUNAGA, Carol	✓			
HASHIMOTO, Troy N.	.			✓
FEVELLA, Kurt	✓			
<b>TOTAL</b>	<b>4</b>			<b>1</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Michelle N. Kidani</i>				
Distribution:    Original    Yellow    Pink    Goldenrod File with Committee Report    Clerk's Office    Drafting Agency    Committee File Copy				

\*Only one measure per Record of Votes