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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. By Act 63, Session Laws of Hawaii 2021, the  
2 legislature found that telephone and emergency dispatchers  
3 perform critical services under stressful conditions and that  
4 these services are more than clerical in nature. Nonetheless,  
5 dispatchers are characterized and compensated as clerical  
6 employees. The purpose of this Act is to allow  
7 telecommunications and emergency dispatchers and employees who  
8 perform similar functions employed by the State and counties to  
9 collectively bargain.

10           SECTION 2. Section 89-6, Hawaii Revised Statutes, is  
11 amended as follows:

12           1. By amending subsections (a) and (b) to read:

13           "(a) All employees throughout the State within any of the  
14 following categories shall constitute an appropriate bargaining  
15 unit:

16           (1) Nonsupervisory employees in blue collar positions;

17           (2) Supervisory employees in blue collar positions;



- 1 (3) Nonsupervisory employees in white collar positions;
- 2 (4) Supervisory employees in white collar positions;
- 3 (5) Teachers and other personnel of the department of
- 4 education under the same pay schedule, including part-
- 5 time employees working less than twenty hours a week
- 6 who are equal to one-half of a full-time equivalent;
- 7 (6) Educational officers and other personnel of the
- 8 department of education under the same pay schedule;
- 9 (7) Faculty of the University of Hawaii and the community
- 10 college system;
- 11 (8) Personnel of the University of Hawaii and the
- 12 community college system, other than faculty;
- 13 (9) Registered professional nurses;
- 14 (10) Institutional, health, and correctional workers;
- 15 (11) Firefighters;
- 16 (12) Police officers;
- 17 (13) Professional and scientific employees, who cannot be
- 18 included in any of the other bargaining units;
- 19 (14) State law enforcement officers; ~~and~~
- 20 (15) State and county ocean safety and water safety
- 21 officers~~[.]~~; and



1        (16) State and county telecommunications and emergency  
2                    dispatchers and other telecommunications dispatch  
3                    personnel.

4            (b) Because of the nature of work involved and the  
5      essentiality of certain occupations that require specialized  
6      training, supervisory employees who are eligible for inclusion  
7      in units (9) through [~~(15)~~] (16) shall be included in units (9)  
8      through [~~(15)~~] (16), respectively, instead of unit (2) or (4)."

9            2. By amending subsection (d) to read:

10           " (d) For the purpose of negotiating a collective  
11      bargaining agreement, the public employer of an appropriate  
12      bargaining unit shall mean the governor together with the  
13      following employers:

14           (1) For bargaining units (1), (2), (3), (4), (9), (10),  
15                (13), (14), and (15), the governor shall have six  
16                votes and the mayors, the chief justice, and the  
17                Hawaii health systems corporation board shall each  
18                have one vote if they have employees in the particular  
19                bargaining unit;



1 (2) For bargaining units (11) [~~and~~], (12), and (16), the  
2 governor shall have four votes and the mayors shall  
3 each have one vote;

4 (3) For bargaining units (5) and (6), the governor shall  
5 have three votes, the board of education shall have  
6 two votes, and the superintendent of education shall  
7 have one vote; and

8 (4) For bargaining units (7) and (8), the governor shall  
9 have three votes, the board of regents of the  
10 University of Hawaii shall have two votes, and the  
11 president of the University of Hawaii shall have one  
12 vote.

13 Any decision to be reached by the applicable employer group  
14 shall be on the basis of simple majority, except when a  
15 bargaining unit includes county employees from more than one  
16 county. In that case, the simple majority shall include at  
17 least one county."

18 SECTION 3. This Act does not affect rights and duties that  
19 matured, penalties that were incurred, and proceedings that were  
20 begun before its effective date.



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

3 SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY: Mildred K. Mahan  
JAN 25 2023



# H.B. NO. 1378

**Report Title:**

Collective Bargaining; Public Employment; Telecommunications  
Dispatchers; Emergency Dispatchers

**Description:**

Allows telecommunications and emergency dispatchers and employees who perform similar functions employed by the State and counties to collectively bargain.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

