

Honolulu, Hawaii

MAR 20 2024

RE: H.B. No. 1640  
H.D. 1  
S.D. 1

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

Sir:

Your Committee on Labor and Technology, to which was referred H.B. No. 1640, H.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 an employer to initiate negotiations on repricing of classes within a bargaining unit within thirty days of its receipt of the exclusive representative's written request to negotiate; and
- (2) Establish that an employer's failure to initiate the negotiation within the required time frame and the parties' failure to reach an agreement within ninety days of the exclusive representative's written request to negotiate or by January 31 of a year in which the collective bargaining agreement is due to expire, whichever is earlier, constitutes an impasse to which impasse procedures under existing law shall apply, unless the impasse occurs within one hundred eighty days after a collective bargaining agreement has been reached between the employer and the exclusive representative of the bargaining unit.



Your Committee received testimony in support of this measure from United Public Workers, AFSCME Local 646, AFL-CIO; Hawai'i Association of School Psychologists; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and Hawaii State AFL-CIO.

Your Committee received testimony in opposition to this measure from the Department of Human Resources Development and County of Maui Department of Personnel Services.

Your Committee received comments on this measure from the Department of Budget and Finance, City and County of Honolulu Department of Human Resources, and County of Kaua'i Department of Human Resources.


Your Committee finds that the current process for the repricing of classes within the state government is one-sided in favor of the employer, and does not include any appeal mechanism or adjudication via impartial review. This allows employers to arbitrarily deny requests to negotiate repricing of classes without providing the basis of their determination, and without recourse for the employees. Therefore, this measure serves to protect the rights and interests of public employees while fostering a more collaborative and productive bargaining process.

Your Committee has amended this measure by inserting an effective date of July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Labor and Technology that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1640, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1640, H.D. 1, S.D. 1, and be referred to your Committees on Ways and Means and Judiciary.



Respectfully submitted on  
behalf of the members of the  
Committee on Labor and  
Technology,

  
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>HB 1640 HD1</b>	Committee Referral: <b>LBT, NAM/JDU</b>	Date: <b>3/19/24</b>
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The Committee is reconsidering its previous decision on this measure.  
 If so, then the previous decision was to: \_\_\_\_\_

The Recommendation is:

Pass, unamended 2312    
  Pass, with amendments 2311    
 Hold 2310    
 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
AQUINO, Henry J.C. (C)	X			
MORIWAKI, Sharon Y. (VC)	X	X		
IHARA, Jr., Les	X			
LEE, Chris	X			
FEVELLA, Kurt	X			
<b>TOTAL</b>	<b>4</b>	<b>1</b>		

Recommendation:      Adopted      Not Adopted

Chair's or Designee's Signature: \_\_\_\_\_

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**\*Only one measure per Record of Votes**