

A Bill for an Act Relating to Collective Bargaining.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Section 89-4, Hawaii Revised Statutes, is amended to read as follows:

**“§89-4 Payroll deductions.** (a) Upon receiving from an exclusive representative a written statement specifying the amount of regular dues required of its members in the appropriate bargaining unit, the employer shall deduct this amount from the payroll of every member employee in the appropriate bargaining unit and remit the amount to the exclusive representative. Additionally, the employer shall deduct an amount equivalent to the regular dues from the payroll of every nonmember employee in the appropriate bargaining unit, and shall remit the amount to the exclusive representative; provided that the deduction from the payroll of every nonmember employee shall be made only for an exclusive representative ~~[which]~~ that provides for a procedure for determining the amount of a refund to any employee who demands the return of any part of the deduction ~~[which]~~ that represents the employee’s pro rata share of expenditures made by the exclusive representative for activities of a political and ideological nature unrelated to terms and conditions of employment. If a nonmember employee objects to the amount to be refunded, the nonmember employee may petition the board for review thereof within fifteen days after notice of the refund has been received. If an employee organization is no longer the exclusive representative of the appropriate bargaining unit, the deduction from the payroll of members and nonmembers shall terminate.

(b) The employer shall, upon written authorization by an employee, executed at any time after the employee’s joining an employee organization, deduct from the payroll of the employee the amount of membership dues, initiation fees, group insurance premiums, and other association benefits and shall remit the amount to the employee organization designated by the employee.

(c) The employer shall continue all payroll assignments authorized by an employee prior to July 1, 1970, and all assignments authorized under subsection (b) until the employee provides written notification [is submitted by an employee] within thirty days before the anniversary date of the employee’s execution of the written authorization under subsection (b), to the employee’s exclusive representative to discontinue the employee’s assignments. The employee’s exclusive representative shall provide a copy of the employee’s written notification to the employer within ten business days of receipt from the employee.

(d) If any provision of this section, or application thereof to any person or circumstances, is held invalid, the remainder of the section, or the application of the provision to other persons or circumstances, shall not be affected thereby.”

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

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

(Approved April 24, 2018.)