

**ACT 150**

H.B. NO. 1205

A Bill for an Act Relating to Collective Bargaining.

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

SECTION 1. Section 89-8, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) The employee organization ~~[which]~~ that has been certified by the board as representing the majority of employees in an appropriate bargaining unit shall be the exclusive representative of all employees in the unit. As exclusive representative, it shall have the right to act for and negotiate agreements covering all employees in the unit and shall be responsible for representing the interests of ~~[all such]~~ the employees without discrimination and without regard to employee organization membership~~[-]~~; provided that the exclusive representative shall not be required to provide grievance representation to employees who do not pay dues or dues equivalents and who decline to pay reasonable costs of that representation. Any other provision herein to the contrary notwithstanding, whenever two or more employee organizations ~~[which]~~ that have been duly certified by the board as the exclusive representatives of employees in bargaining units merge, combine, ~~[or]~~ amalgamate, or enter into an agreement for common administration or operation of their affairs, all rights and duties of ~~[such]~~ the

employee organizations as exclusive representatives of employees in [~~such~~] the units shall inure to and shall be discharged by the organization resulting from [~~such~~] the merger, combination, amalgamation, or agreement, either alone or with [~~such~~] the employee organizations. Election by the employees in the unit involved[;] and certification by the board of [~~such~~] the resulting employee organization shall not be required.”

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 Statutory material to be repealed is bracketed and stricken.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 June 29, 2023.)