

ACT 63

H.B. NO. 1642

A Bill for an Act Relating to General Employee Orientation.

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

SECTION 1. Section 78-64, Hawaii Revised Statutes, is amended to read as follows:

~~“[§78-64]~~ **New employees; orientation on benefits and rights.** (a) Each newly hired employee shall be provided a general orientation on the employee’s benefits and rights within twenty calendar days of being hired. The orientation shall be conducted by the employee’s respective jurisdiction.

(b) The exclusive representative who represents the employee, if any, may attend the employee’s general orientation and present information on the employee’s benefits and rights.

~~(c) Should the employer violate any provision of this section, the employee or the exclusive representative, if applicable, may file a complaint with the Hawaii labor relations board pursuant to chapter 89.~~

~~[(e)] (d)~~ As used in this section, “exclusive representative” has the same meaning as in section 76-11.”

## ACT 63

SECTION 2. Section 89-13, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) It shall be a prohibited practice for a public employer or its designated representative wilfully to:

- (1) Interfere, restrain, or coerce any employee in the exercise of any right guaranteed under this chapter;
- (2) Dominate, interfere, or assist in the formation, existence, or administration of any employee organization;
- (3) Discriminate in regard to hiring, tenure, or any term or condition of employment to encourage or discourage membership in any employee organization;
- (4) Discharge or otherwise discriminate against an employee because the employee has signed or filed an affidavit, petition, or complaint or given any information or testimony under this chapter, or because the employee has informed, joined, or chosen to be represented by any employee organization;
- (5) Refuse to bargain collectively in good faith with the exclusive representative as required in section 89-9;
- (6) Refuse to participate in good faith in the mediation and arbitration procedures set forth in section 89-11;
- (7) Refuse or fail to comply with any provision of this chapter;
- (8) Violate the terms of a collective bargaining agreement;
- (9) Replace any nonessential employee for participating in a labor dispute; ~~[or]~~
- (10) Give employment preference to an individual employed during a labor dispute and whose employment termination date occurs after the end of the dispute, over an employee who exercised the right to join, assist, or engage in lawful collective bargaining or mutual aid or protection through the labor organization involved in the dispute~~[-]; or~~
- (11) Fail to comply with the general orientation requirements set forth in section 78-64.”

SECTION 3. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 4. This Act shall take effect on July 1, 2024.

(Approved June 21, 2024.)