

JAN 18 2008

S.B. NO. 2594

A BILL FOR AN ACT

RELATING TO LABOR.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 89, Hawaii Revised Statutes, is amended
2 by adding two new sections to be appropriately designated and to
3 read as follows:

4 "§89- Streamlining union certification. Whenever a
5 petition shall have been filed by an employee or group of
6 employees or any individual or labor organization acting on
7 their behalf alleging that a majority of employees in a unit
8 appropriate for the purposes of collective bargaining wish to be
9 represented by an individual or labor organization for those
10 purposes, the board shall investigate the petition. If the
11 board finds that a majority of the employees in a unit
12 appropriate for bargaining has signed valid authorizations
13 designating the individual or labor organization specified in
14 the petition as their bargaining representative and that no
15 other individual or labor organization is currently certified or
16 recognized as the exclusive representative of any of the
17 employees in the unit, the board shall not direct an election



1 but shall certify the individual or labor organization as the
2 representative.

3 §89- Facilitating initial collective bargaining
4 agreements. (a) Not later than ten days after receiving a
5 written request for collective bargaining from an individual or
6 labor organization that has been newly organized or certified as
7 a representative, the parties shall meet and commence to bargain
8 collectively and shall make every reasonable effort to conclude
9 and sign a collective bargaining agreement.

10 (b) If after the expiration of the ninety-day period
11 beginning on the date on which bargaining commenced, or such
12 additional period as the parties may agree upon, the parties
13 have failed to reach an agreement, either party may notify the
14 board of the existence of an impasse."

15 SECTION 2. Chapter 377, Hawaii Revised Statutes, is
16 amended by adding two new sections to be appropriately
17 designated and to read as follows:

18 "§377- Streamlining union certification. Whenever a
19 petition shall have been filed by an employee or group of
20 employees or any individual or labor organization acting on
21 their behalf alleging that a majority of employees in a unit
22 appropriate for the purposes of collective bargaining wish to be



1 represented by an individual or labor organization for those
2 purposes, the board shall investigate the petition. If the
3 board finds that a majority of the employees in a unit
4 appropriate for bargaining has signed valid authorizations
5 designating the individual or labor organization specified in
6 the petition as their bargaining representative and that no
7 other individual or labor organization is currently certified or
8 recognized as the exclusive representative of any of the
9 employees in the unit, the board shall not direct an election
10 but shall certify the individual or labor organization as the
11 representative.

12 **§377- Facilitating initial collective bargaining**
13 **agreements.** (a) Not later than ten days after receiving a
14 written request for collective bargaining from an individual or
15 labor organization that has been newly organized or certified as
16 a representative, the parties shall meet and commence to bargain
17 collectively and shall make every reasonable effort to conclude
18 and sign a collective bargaining agreement.

19 (b) If after the expiration of the ninety-day period
20 beginning on the date on which bargaining commenced, or such
21 additional period as the parties may agree upon, the parties
22 have failed to reach an agreement, either party may notify the



1 board of the existence of a dispute and request conciliation
2 under section 377-3."

3 SECTION 3. New statutory material is underscored.

4 SECTION 4. This Act shall take effect upon its approval.

5

INTRODUCED BY:

[Handwritten Signature]
by request



Report Title:

Labor unions; Public and private sectors.

Description:

Certifies entities as exclusive representatives absent an election where no other representatives are certified as the exclusive representatives. Requires immediate collective bargaining between parties once entities are certified as exclusive representatives.

