

STAND. COM. REP. NO.

1340

Honolulu, Hawaii

APR 09 2009

RE: H.B. No. 952  
H.D. 1  
S.D. 2

Honorable Colleen Hanabusa  
President of the Senate  
Twenty-Fifth State Legislature  
Regular Session of 2009  
State of Hawaii

Madam:

Your Committee on Judiciary and Government Operations, to which was referred H.B. No. 952, H.D. 1, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO LABOR,"

begs leave to report as follows:

The purpose of this measure, known in pending federal legislation as the "Employee Free Choice Act," is to enact a new labor law to:

- (1) Authorize streamlined certification of a labor organization to represent employees pursuant to signed valid authorizations by a majority of employees where no other representatives are certified as the exclusive bargaining representatives; and
- (2) Establish a mandatory procedure for facilitating initial collective bargaining agreements.

This measure also establishes a violation and civil penalty applicable to employers who wilfully or repeatedly commit unfair or prohibited practices that interfere with statutory rights of employees or discriminate against employees for the exercise of protected conduct.

Your Committee finds that this measure supports workers' right to organize for the purpose of collective bargaining under Article XIII of the Hawaii Constitution and provides protections



for workers against actions that would hinder them from exercising this constitutional right.

Your Committee has amended this measure by changing the effective date to upon its approval, and making a technical, nonsubstantive amendment.

As affirmed by the record of votes of the members of your Committee on Judiciary and Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 952, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 952, H.D. 1, S.D. 2.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary and  
Government Operations,



BRIAN T. TANIGUCHI, Chair



