

Honolulu, Hawaii

March 20, 2012

RE: S.B. No. 2671
S.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committee on Labor & Public Employment, to which was referred S.B. No. 2671, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING,"

begs leave to report as follows:

The purpose of this measure is to improve the efficiency and effectiveness of the Hawaii Labor Relations Board by:

- (1) Clarifying that the Hawaii Labor Relations Board can appoint attorneys, paralegals, and other personnel to provide necessary legal services; and
- (2) Authorizing an attorney employed by the Hawaii Labor Relations Board on a part-time or contract basis to represent the Board in litigation, draft legal documents, and perform other necessary legal services.

The Department of Labor and Industrial Relations, Hawaii Labor Relations Board, University of Hawaii Professional Assembly, Hawaii Government Employees Association, AFSCME, Local 152, AFL-CIO, ILWU Local 142, and United Public Workers, AFSCME, Local 646, AFL-CIO testified in support of this measure.

The Hawaii Labor Relations Board conducts hearings to decide complaints filed by public and private sector employees, employee organizations or unions, and employers alleging prohibited or unfair labor practices. Typically, these cases involve an



an employer or union's failure to bargain in good faith, an employer or union's interference with an employee's right to participate in or refrain from bargaining activities, or a union's failure to fairly represent its members in the negotiation of agreements or the pursuit of grievances. As labor issues grow in complexity, the assistance of the Board has become an increasing necessity. Unfortunately, like many other agencies within State government, the Board has encountered severe budget restraints over the last few budget cycles leading to a significant backlog in the number of cases presently before the Board. Your Committee finds that this measure will allow the Board to hire attorneys and paralegals to perform legal services to address this existing backlog of cases, as well as provide other necessary legal services to the Board.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2671, S.D. 1, and recommends that it pass Second Reading and be referred to the Committee on Finance.

Respectfully submitted on
behalf of the members of the
Committee on Labor & Public
Employment,



KARL RHOADS, Chair



State of Hawaii
House of Representatives
The Twenty-sixth Legislature

HSCR1117-12

Record of Votes of the Committee on Labor & Public Employment

Bill/Resolution No.: SB 2071 SD1	Committee Referral: LAB, FIN	Date: 3-16-12		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input checked="" type="checkbox"/> Pass, unamended (as is) <input type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
LAB Members	Ayes	Ayes (WR)	Nays	Excused
1. RHOADS, Karl (C)	✓			
2. YAMASHITA, Kyle T. (VC)	✓			✓
3. AQUINO, Henry J.C.	✓			
4. CULLEN, Ty	✓			
5. ICHIYAMA, Linda	✓			
6. LEE, Marilyn B.	✓			
7. LUKE, Sylvia				✓
8. OKAMURA, Tom				
9. SAIKI, Scott K.	✓			✓
10. SOUKI, Joseph M.	✓			
11. TAKUMI, Roy M.	✓			
12. FONTAINE, George R.	✓			
13. JOHANSON, Aaron Ling	✓			
TOTAL (13)	10	—	—	2
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small style="margin-left: 100px;">committee acronym(s)</small>				
Vice Chair's or designee's signature:				
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