
A BILL FOR AN ACT

RELATING TO COLLECTIVE BARGAINING.

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

1 SECTION 1. Section 10-12, Hawaii Revised Statutes, is
2 amended to read as follows:
3 "**§10-12 Assistant; staff.** The administrator may employ
4 and retain [~~such~~] officers and employees as may be necessary to
5 carry out the functions of the office. [~~Such~~] The officers [~~and~~
6 ~~employees~~] may be hired without regard to chapter 76, and shall
7 serve at the pleasure of the administrator. The employees shall
8 be subject to chapters 76 and 89. Officers and employees of the
9 office of Hawaiian affairs shall be included in any benefit
10 program generally applicable to officers and employees of the
11 State."

12 SECTION 2. Section 89-6, Hawaii Revised Statutes, is
13 amended by amending subsection (d) to read as follows:
14 "(d) For the purpose of negotiating a collective
15 bargaining agreement, the public employer of an appropriate
16 bargaining unit shall mean the governor together with the
17 following employers:



- 1 (1) For bargaining units (1), (2), (3), (4), (9), (10),
2 (13), and (14), the governor shall have six votes and
3 the mayors, the chief justice, [~~and~~] the Hawaii health
4 systems corporation board, and the board of trustees
5 of the office of Hawaiian affairs shall each have one
6 vote if they have employees in the particular
7 bargaining unit;
- 8 (2) For bargaining units (11) and (12), the governor shall
9 have four votes and the mayors shall each have one
10 vote;
- 11 (3) For bargaining units (5) and (6), the governor shall
12 have three votes, the board of education shall have
13 two votes, and the superintendent of education shall
14 have one vote; and
- 15 (4) For bargaining units (7) and (8), the governor shall
16 have three votes, the board of regents of the
17 University of Hawaii shall have two votes, and the
18 president of the University of Hawaii shall have one
19 vote.
- 20 Any decision to be reached by the applicable employer group
21 shall be on the basis of simple majority, except when a



1 bargaining unit includes county employees from more than one
2 county. In that case, the simple majority shall include at
3 least one county."

4 SECTION 3. The rights, benefits, and privileges currently
5 enjoyed by employees of the office of Hawaiian affairs,
6 including those rights, benefits, and privileges under chapters
7 78, 87A, and 88, Hawaii Revised Statutes, shall not be impaired
8 or diminished as a result of these employees being transitioned
9 to their respective bargaining unit. The transition to the new
10 bargaining units shall not result in any break in service for
11 the affected employees.

12 SECTION 4. This Act does not affect rights and duties that
13 matured, penalties that were incurred, and proceedings that were
14 begun before its effective date.

15 SECTION 5. Statutory material to be repealed is bracketed
16 and stricken. New statutory material is underscored.

17 SECTION 6. This Act shall take effect on July 1, 2017.

18

INTRODUCED BY:



JAN 23 2017



H.B. NO. 865

Report Title:

OHA; Collective Bargaining

Description:

Grants OHA employees collective bargaining rights. Gives OHA voting rights as a public employer.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

