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# A BILL FOR AN ACT

RELATING TO COLLECTIVE BARGAINING.

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

1           SECTION 1. Section 89-4, Hawaii Revised Statutes, is  
2 amended to read as follows:  
3           "§89-4 Payroll deductions. (a) Upon receiving from an  
4 exclusive representative a written statement specifying the  
5 amount of regular dues required of its members in the  
6 appropriate bargaining unit, the employer shall deduct this  
7 amount from the payroll of every member employee in the  
8 appropriate bargaining unit and remit the amount to the  
9 exclusive representative. Additionally, the employer shall  
10 deduct an amount equivalent to the regular dues from the payroll  
11 of every nonmember employee in the appropriate bargaining unit,  
12 and shall remit the amount to the exclusive representative;  
13 provided that the deduction from the payroll of every nonmember  
14 employee shall be made only for an exclusive representative  
15 which provides for a procedure for determining the amount of a  
16 refund to any employee who demands the return of any part of the  
17 deduction which represents the employee's pro rata share of



1 expenditures made by the exclusive representative for activities  
2 of a political and ideological nature unrelated to terms and  
3 conditions of employment. If a nonmember employee objects to  
4 the amount to be refunded, the nonmember employee may petition  
5 the board for review thereof within fifteen days after notice of  
6 the refund has been received. If an employee organization is no  
7 longer the exclusive representative of the appropriate  
8 bargaining unit, the deduction from the payroll of members and  
9 nonmembers shall terminate.

10 (b) The employer shall, upon written authorization by an  
11 employee, executed at any time after the employee's joining an  
12 employee organization, deduct from the payroll of the employee  
13 the amount of membership dues, initiation fees, group insurance  
14 premiums, and other association benefits and shall remit the  
15 amount to the employee organization designated by the employee.

16 (c) The employer shall continue all payroll assignments  
17 authorized by an employee prior to July 1, 1970, and all  
18 assignments authorized under subsection (b) until the employee  
19 provides written notification [~~is submitted by an employee~~]  
20 within thirty days before the anniversary date of the employee's  
21 execution of the written authorization under subsection (b), to



1 the employee's exclusive representative to discontinue the  
2 employee's assignments. The employee's exclusive representative  
3 shall provide a copy of the employee's written notification to  
4 the employer within ten business days of receipt from the  
5 employee.

6 (d) If any provision of this section, or application  
7 thereof to any person or circumstances, is held invalid, the  
8 remainder of the section, or the application of the provision to  
9 other persons or circumstances, shall not be affected thereby."

10 SECTION 2. Statutory material to be repealed is bracketed  
11 and stricken. New statutory material is underscored.

12 SECTION 3. This Act shall take effect on January 1, 2050.



**Report Title:**

Collective Bargaining; Employee Payroll Deductions

**Description:**

Requires public employees in collective bargaining units to provide written notification to the employee's exclusive representative to discontinue the employee's payroll assignments within a certain time period. Requires the employee's exclusive representative to provide a copy of the notification to the employer within ten business days of receipt from the employee.  
(SB2360 HD1)

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

