

STAND. COM. REP. NO.

2982

Honolulu, Hawaii

MAR 21 2018

RE: H.B. No. 1725  
H.D. 2

Honorable Ronald D. Kouchi  
President of the Senate  
Twenty-Ninth State Legislature  
Regular Session of 2018  
State of Hawaii

Sir:

Your Committee on Labor, to which was referred H.B. No. 1725,  
H.D. 2, entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to require collective bargaining public employees to provide written notification to the employee's exclusive representative to discontinue the employee's payroll assignments within a certain time period.

Your Committee received testimony in support of this measure from the Hawaii State Teachers Association; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; United Public Workers, AFSCME, Local 646, AFL-CIO; State of Hawaii Organization of Police Officers; O'ahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i; and Hawaii Fire Fighters Association, Local 1463, IAFF, AFL-CIO.

Your Committee finds that in *Janus v. AFSCME*, currently pending a decision from the United States Supreme Court, the petitioners are seeking to invalidate public-sector agency shop arrangements arguing that such arrangements violate the petitioners' First Amendment rights. A ruling in favor of the petitioners in *Janus* may allow public sector employees to leave their unions and not pay dues, while the unions, in turn, would



still be legally-bound to represent them, effectively changing collective bargaining representatives' ability to collect resources from their members and potentially diminishing public employees' ability to effectively negotiate. Your Committee finds that this measure requires employees wishing to opt out of union membership to provide written notification within thirty days of the anniversary of their initial membership date in any given year of their desire to discontinue payroll deductions to their exclusive representative, thereby allowing unions to better manage the impact of potential member resignations in the wake of a possible Supreme Court ruling that goes against the unions.

As affirmed by the record of votes of the members of your Committee on Labor that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1725, H.D. 2, and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Respectfully submitted on  
behalf of the members of the  
Committee on Labor,



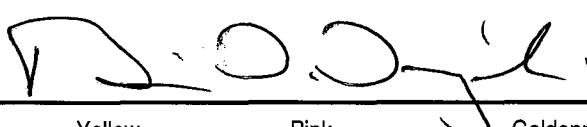
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JILL N. TOKUDA, Chair



The Senate  
Twenty-Ninth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Labor**  
**LBR**

Bill / Resolution No.:*	Committee Referral:	Date:		
HB1725, HD2	LBR, WAM	3/13/18		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input checked="" type="checkbox"/> Pass, unamended 2312	<input type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310	<input type="checkbox"/> Recommit 2313	
Members	Aye	Aye (WR)	Nay	Excused
TOKUDA, Jill N. (C)	✓			✓
ENGLISH, J. Kalani (VC)				✓
CHANG, Stanley	✓			
IHARA, Jr., Les				✓
TANIGUCHI, Brian T.	✓			
<b>TOTAL</b>	3	0	0	2
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

\*Only one measure per Record of Votes