A BILL FOR AN ACT

RELATING TO COLLECTIVE BARGAINING.

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

SECTION 1. Section 89-8, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

"(a) The employee organization which has been certified by the board as representing the majority of employees in an appropriate bargaining unit shall be the exclusive representative of all employees in the unit. As exclusive representative, it shall have the right to act for and negotiate agreements covering all employees in the unit and shall be responsible for representing the interests of all such employees without discrimination and without regard to employee organization membership[; provided that the exclusive representative shall not be required to provide grievance representation to employees who neither pay dues nor dues equivalents and who decline to pay reasonable costs of that representation. Any other provision herein to the contrary notwithstanding, whenever two or more employee organizations which have been duly certified by the board as the exclusive
representatives of employees in bargaining units merge, combine, or amalgamate or enter into an agreement for common administration or operation of their affairs, all rights and duties of such employee organizations as exclusive representatives of employees in such units shall inure to and shall be discharged by the organization resulting from such merger, combination, amalgamation, or agreement, either alone or with such employee organizations. Election by the employees in the unit involved, and certification by the board of such resulting employee organization shall not be required."

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 Statutory material to be repealed is bracketed and stricken.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

SECTION 3. This Act shall take effect upon its approval.

INTRODUCED BY: 

JAN 22 2019
Report Title:
Collective Bargaining; Recognition and Representation

Description:
Specifies that exclusive representatives of public employees are not required to provide grievance representation to collective bargaining unit members who neither pay dues nor dues equivalents and who decline to pay reasonable costs of the representation.

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