

STAND. COM. REP. NO. 996

Honolulu, Hawaii

MAR 18

, 2021

RE: S.B. No. 678
S.D. 1
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Labor & Tourism, to which was referred S.B. No. 678, 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:

- (1) Require that the representative of labor on the Hawaii Labor Relations Board shall be a person selected by a majority of the exclusive representatives of the collective bargaining units, whose sole name, rather than a list of three names, shall be submitted to the Governor; and
- (2) Establish procedures for the removal of the representative of labor from the Hawaii Labor Relations Board.

Your Committee received testimony in support of this measure from the University of Hawaii Professional Assembly; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; United Public Workers, AFSCME Local 646, AFL-CIO; and Hawaii State Teachers Association. Your Committee received testimony in opposition to this measure from the Office of Collective

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Bargaining. Your Committee received comments on this measure from the Hawai'i Labor Relations Board.

Your Committee finds that the existing process of allowing the Governor to pick a name from a list of three nominees to fill the role of representative of labor provides the Governor with too much authority over the composition of the Hawaii Labor Relations Board. Providing a single name to the Governor that has been vetted by the exclusive representatives, with a clear timeframe for the name to be transmitted to the Senate for consideration as well as a default process for Senate confirmation if the deadline is missed, ensures greater fairness, predictability, and transparency in the appointment process. Your Committee also finds that providing a mechanism to remove an ineffective labor representative is essential to the efficient functioning of the Hawaii Labor Relations Board.

Your Committee has amended this measure by:

- (1) Repealing unnecessary explanatory language relating to term limits specified in section 26-34, Hawaii Revised Statutes, from which the Hawaii Labor Relations Board is exempt; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Labor & Tourism that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 678, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 678, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.



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


RICHARD H.K. ONISHI, Chair

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