

STAND. COM. REP. NO. 1131

Honolulu, Hawaii

MAR 27 2015

RE: H.B. No. 553
H.D. 1
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Madam:

Your Committees on Higher Education and the Arts and
Judiciary and Labor, to which was referred H.B. No. 553, H.D. 1,
entitled:

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

beg leave to report as follows:

The purpose and intent of this measure is to create
collective bargaining unit (15) for graduate student assistants
employed by the University of Hawaii.

Your Committees received testimony in support of this measure
from the University of Hawaii Professional Assembly, University of
Hawaii Graduate Student Organization, University of Hawaii Student
Caucus, Hawaii State AFL-CIO, Hawaii State Teachers Association,
and seven individuals. Your Committees received testimony in
opposition to this measure from the Department of Budget and
Finance, University of Hawaii System, and one individual. Your
Committees received comments on this measure from the Office of
Collective Bargaining, Hawaii Government Employees Association,
and one individual.

Your Committees find that graduate students contribute to the
various missions of the University of Hawaii as graduate student
assistants that serve as teaching assistants for undergraduate
students and as research assistants on world-class research
projects.



Your Committees further find that as an integral part of the University of Hawaii System, graduate student assistants constitute a committed learning community, perform important research, and ensure a substantial proportion of the many academic requirements within the mandate of the University, including providing adequate teaching and classroom instruction for undergraduate students, is fulfilled.

Under existing law, graduate student assistants are not afforded the same labor protections as the University faculty and staff. Accordingly, your Committees find that providing collective bargaining rights to graduate student assistants is one means by which to ensure the sustainability and equity of the existing and future University labor force.

Your Committees have amended this measure by:

- (1) Inserting language to clarify that graduate student assistants employed by the University of Hawaii are not student help for purposes of chapter 89, Hawaii Revised Statutes;
- (2) Inserting language to require the Director of Human Resources Development to convene the prospective collective bargaining unit working group to:
 - (A) Collaborate with representatives of the graduate student assistants of the University of Hawaii and determine whether graduate student assistants should become members of collective bargaining unit (8) or collective bargaining unit (15), as created by this measure;
 - (B) Determine specific collective bargaining rights and privileges to be proposed for collective bargaining unit (15);
 - (C) Consider appropriate salaries, wages, other compensation, and working hour restrictions for individuals in collective bargaining unit (15); and
 - (D) Consider whether individuals in collective bargaining unit (15) should be provided with the right to binding arbitration or the right to strike;



- (3) Inserting language requiring the prospective collective bargaining unit working group to submit a report of its findings and recommendations, including any proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2016;
- (4) Inserting an effective date of July 1, 2050, to encourage further discussion; provided that the establishment of a collective bargaining unit for graduate student assistants shall take effect on December 31, 2016, to allow the Legislature to make any necessary amendments based on the prospective collective bargaining unit working group's recommendations; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Higher Education and the Arts and Judiciary and Labor that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 553, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 553, H.D. 1, S.D. 1, and be referred to the Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committees on Higher Education
and the Arts and Judiciary and
Labor,


GILBERT S.C. KEITH-AGARAN, Chair


BRIAN T. TANIGUCHI, Chair



