



## UNITED PUBLIC WORKERS

AFSCME Local 646, AFL-CIO

### HOUSE OF REPRESENTATIVES THE THIRTY-THIRD LEGISLATURE REGULAR SESSION OF 2025

#### COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

Rep. David A. Tarnas, Chair  
Rep. Mahina Poepoe, Vice Chair

Thursday, February 20, 2025, 2:00 PM  
Conference Room 325 & Videoconference

#### Re: Testimony on HB162, HD1 – RELATING TO COLLECTIVE BARGAINING

Chair Tarnas, Vice Chair Poepoe, and Members of the Committee:

The United Public Workers, AFSCME Local 646, AFL-CIO (“UPW”) is the exclusive bargaining representative for approximately 14,000 public employees, which includes blue collar, non-supervisory employees in Bargaining Unit 1 and institutional, health, and correctional employees in Bargaining Unit 10, in the State of Hawaii and various counties.

UPW **strongly supports** HB162, HD1, which authorizes the Hawaii Labor Relations Board to request the Federal Mediation and Conciliation Service (“FMCS”) to furnish a list of five qualified and experienced interest arbitrators in the event the parties fail to select the neutral third member of the arbitration panel. This bill also clarifies that the list of five interest arbitrators may contain arbitrators from both the American Arbitration Association (“AAA”) and the FMCS.

As mentioned above, UPW is the exclusive representative for Bargaining Unit 10, which consists of institutional, health, and correctional workers. Pursuant to Section 89-11(e), Hawaii Revised Statutes, Bargaining Unit 10 is bound by arbitration procedures should there be an impasse. If mediation fails resolve an impasse within the first twenty days after an impasse date, it shall be submitted to a three-member arbitration panel by the Hawaii Labor Relations Board (“HLRB”).

This panel shall consist of the following members: one shall be selected by the employer, one shall be selected by the exclusive representative, and the neutral third member of the arbitration panel shall be selected by mutual agreement between both parties, provided that if the parties fail to select the neutral third member of the panel, the HLRB shall request the AAA to furnish a list of five interest arbitrators from which the neutral third member will be selected.

Currently, the AAA is the only statutorily listed organization that can provide the list of five interest arbitrators. This bill merely seeks to expand the pool of experienced and qualified interest arbitrators by statutorily adding the FMCS. Other affiliate unions under the American Federation of State, County, and Municipal Employees (“AFSCME”) have used this organization's services to resolve labor disputes. An

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expanded pool of arbitrators will better ensure that the arbitration panel is capable of rendering a decision for public employees, the public employers, and the public, with respect to collective bargaining.

Mahalo for the opportunity to testify in support of this measure.

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Randy Perreira  
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The Thirty-Third Legislature  
House of Representatives  
Committee on Judiciary & Hawaiian Affairs

Testimony by  
Hawaii State AFL-CIO

February 20, 2025

## TESTIMONY IN SUPPORT OF HB162 HD1 – RELATING TO COLLECTIVE BARGAINING

Chair Tarnas, Vice Chair Poepoe, and members of the committee:

The Hawaii State AFL-CIO is a state federation of 76 affiliate labor organizations representing over 69,000 union members across Hawaii in industries including healthcare, construction, hospitality, entertainment, transportation, and government. The Hawaii State AFL-CIO serves its affiliates by advocating for the rights of working families, promoting fair wages, safe working conditions, and policies that strengthen Hawaii's workforce.

We are in support of HB162 HD1 as it strengthens the collective bargaining process by improving the method for identifying potential neutral arbitrators for interest arbitration. Expanding access to qualified arbitrators promotes impartiality and ensures the process remains efficient. This bill addresses existing challenges, ensuring arbitration continues to serve as an effective mechanism for collective bargaining between public employees and employers.

Respectfully submitted,

A handwritten signature in black ink that reads "Randy Perreira".

Randy Perreira  
President



**HAWAII GOVERNMENT EMPLOYEES ASSOCIATION**  
AFSCME Local 152, AFL-CIO

**RANDY PERREIRA**, Executive Director • Tel: 808.543.0011 • Fax: 808.528.0922

The Thirty-Third Legislature, State of Hawaii  
The House of Representatives  
Committee on Judiciary and Hawaiian Affairs

Testimony by  
Hawaii Government Employees Association

February 20, 2025

H.B.162, H.D. 1 – RELATING TO COLLECTIVE BARGAINING

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO strongly supports the passage of H.B. 162, H.D. 1, which authorizes the Hawai'i Labor Relations Board to request the Federal Mediation and Conciliation Service (FMCS) to furnish a list of five qualified and experienced interest arbitrators in the event the parties fail to select the neutral third member of the arbitration panel, and clarifies that the list of five interest arbitrators may contain arbitrators from both the American Arbitration Association (AAA) and the Federal Mediation and Conciliation Service.

The HGEA represents nine out of the fifteen public sector bargaining units. All HGEA bargaining units with respect to impasse procedures, including the composition of the arbitration panel is in accordance with Hawaii Revised Statutes, Chapter 89-11(e). The interest arbitration panel shall be comprised of three members. One shall be selected by the employer, and one shall be selected by the exclusive representative. The neutral third member of the arbitration panel shall be selected by mutual agreement between both parties, provided that if the parties fail to select the neutral third member of the panel the Hawaii Labor Relations Board shall request the AAA to furnish a list of five interest arbitrators from which the neutral third member will be selected.

Since the AAA is the only statutorily listed organization that can provide the list of five interest arbitrators - we support the intent of this measure as it specifically and only aims to expand the pool of experienced and qualified interest arbitrators by statutorily adding the FMCS. The FMCS has experience across the country in providing qualified individuals that can dually serve as both an interest arbitrator and mediator. Other affiliate unions under the American Federation of State, County, and Municipal Employees (AFSCME) have used this organization's services to resolve labor disputes. An expanded pool of interest arbitrators will better ensure that the chair of the arbitration panel is capable of rendering a decision for public employees, the public employers, and the public, with respect to collective bargaining.

Thank you for the opportunity to testify in strong support of H.B. 162, H.D. 1.

Respectfully submitted,

Randy Perreira  
Executive Director