Honolulu, Hawaii

Fe 43, 2010

RE: H.B. No. 2858

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Fifth State Legislature Regular Session of 2010 State of Hawaii

Sir:

Your Committee on Labor & Public Employment, to which was referred H.B. No. 2858 entitled:

"A BILL FOR AN ACT RELATING TO FURLOUGHS,"

begs leave to report as follows:

The purpose of this bill is to clarify issues pertaining to collective bargaining by specifying that a furlough relates to an employee's wages and hours, and constitutes a term and condition of employment that is a core subject of collective bargaining.

The United Public Workers, Local 646, testified in support of this bill. The Office of Collective Bargaining in the Office of the Governor, Judiciary, and City and County of Honolulu Department of Human Resources opposed this measure. The Hawaii Government Employees' Association offered comments.

Your Committee notes that although furloughs were initiated to cope with the ongoing economic crisis, legal challenges were raised against the unilateral establishment of furloughs. Subsequently, the First Circuit Court issued a ruling that since furloughs reduce an employee's hours and wages, furloughs are a mandatory subject of collective bargaining. However, your Committee recognizes that the legal questions regarding furloughs slowed the process tremendously over the last several months, causing undue anxiety and financial worries for those potentially affected by furloughs.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2858 and recommends that it pass Second Reading and be referred to the Committee on Judiciary.

Respectfully submitted on behalf of the members of the Committee on Labor & Public Employment,

KARL RHOADS, Chair

## State of Hawaii House of Representatives The Twenty-fifth Legislature

HSCR 83-10

## **Record of Votes of the Committee on Labor & Public Employment**

Bill/Resolution No.:	Committee Referral:	Date		
HB 2858	LAB, JUD, FI	N	2-2-2	010
The committee is reconsidering its previous decision on the measure.				
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold  Pass short form bill with HD to recommit for future public hearing (recommit)				
LAB Members	Ayes	Ayes (WR)	Nays	Excused
1. RHOADS, Karl (C)				
2. YAMASHITA, Kyle T. (VC)				
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3. AQUINO, Henry J.C.				
4. AWANA, Karen Leinani		o T		
5. HANOHANO, Faye P.				
3. HAROHARO, Faye 1.		Б		
6. KEITH-AGARAN, Gilbert S.C.			200	
		14. C. T. C.		
7. LEE, Marilyn B.				
8. NAKASHIMA, Mark M.			A file dicise	
9. SAIKI, Scott K.				
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10. SOUKI, Joseph M.				
				10000000000000000000000000000000000000
11. TAKUMI, Roy M.			MIR Comment	
12 DINE Kymskady Massa				
12. PINE, Kymberly Marcos				
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TOTAL (12)		/		l
The recommendation is:  Adopted  If joint referral, did not support recommendation.				
Vice Chair's or designee's signature:				
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