

Honolulu, Hawaii

MAR 17 2010

RE: H.B. No. 2937
H.D. 2
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Madam:

Your Committee on Labor, to which was referred H.B. No. 2937,
H.D. 2, entitled:

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

begs leave to report as follows:

The purpose of this measure is to require the decision of an arbitration panel rendered for a settlement between public sector employers and the exclusive representative of a public employee union to be final and binding with respect to contributions by the State or counties to the Employer-Union Health Benefits Trust Fund or Voluntary Employees' Beneficiary Association.

Testimony in support of this measure was submitted by two private organizations. Testimony in opposition of this measure was submitted by two state agencies and one county agency. Comments on this measure were submitted by one private organization. Written testimony presented to the Committee may be reviewed on the Legislature's website.

Your Committee finds that for an arbitrator to make the most fair and equitable decision regarding employee benefits and employer obligations it is imperative for the arbitrator to have complete autonomy in analyzing all information and matters pertaining to both the benefits of and the amounts of contributions to the Hawaii Employer-Union Health Benefits Trust Fund or Voluntary Employees' Beneficiary Association. Your Committee also finds that a clearly defined negotiation plan will




aid in the resolution of a complete compensation package, which includes benefits of and contribution amounts to the Hawaii Employer-Union Health Benefits Trust Fund or Voluntary Employees' Beneficiary Association that would be satisfactory to all parties represented in the negotiations.

Your Committee has amended this measure by:

- (1) Requiring that benefits under the Hawaii Employer-Union Health Benefits Trust Fund or Voluntary Employees' Beneficiary Association be included in collective bargaining negotiations;
- (2) Clarifying that the decision of the arbitration panel on matters concerning benefits of and amounts of contributions to the Hawaii Employer-Union Health Benefits Trust Fund or Voluntary Employees' Beneficiary Association shall be final and binding upon all the parties involved; and
- (3) Making technical, nonsubstantive amendments for the purpose of clarity.

As affirmed by the record of votes of the members of your Committee on Labor that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2937, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2937, H.D. 2, S.D. 1, and be referred to the Committee on Ways and Means.

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

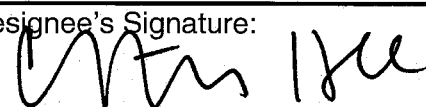


DWIGHT Y. TAKAMINE, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Labor
LBR

Bill / Resolution No.:* <div style="font-size: 1.2em; font-family: cursive;">HB2937 HD2</div>	Committee Referral: <div style="font-size: 1.2em; font-family: cursive;">LBR, WAM</div>	Date: <div style="font-size: 1.2em; font-family: cursive;">2-09-10</div>		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"> <input type="checkbox"/> Pass, unamended 2312 </div> <div style="text-align: center;"> <input checked="" type="checkbox"/> Pass, with amendments 2311 </div> <div style="text-align: center;"> <input type="checkbox"/> Hold 2310 </div> <div style="text-align: center;"> <input type="checkbox"/> Recommit 2313 </div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
TAKAMINE, Dwight Y. (C)	✓			✓
TANIGUCHI, Brian T. (VC)				✓
BUNDA, Robert	✓			
HEE, Clayton	✓			
SLOM, Sam			✓	
TOTAL	3		1	1
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted </div>				
Chair's or Designee's Signature: <div style="font-size: 1.5em; font-family: cursive; margin-top: 10px;">  </div>				
Distribution: <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <div style="text-align: center;">Original File with Committee Report</div> <div style="text-align: center;">Yellow Clerk's Office</div> <div style="text-align: center;">Pink Drafting Agency</div> <div style="text-align: center;">Goldenrod Committee File Copy</div> </div>				

*Only one measure per Record of Votes