
A BILL FOR AN ACT

RELATING TO HAWAII LABOR RELATIONS BOARD.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 89-5, Hawaii Revised Statutes, is
2 amended as follows:

3 1. By amending subsection (b) to read:

4 "(b) The board shall be composed of three members of which

5 (1) one member shall be representative of management, (2) one

6 member shall be representative of labor, and (3) the third

7 member, the chairperson, shall be representative of the public.

8 All members shall be appointed [~~by the governor~~] for terms of

9 six years each[~~. Public employers and employee organizations~~

10 ~~representing public employees may submit to the governor for~~

11 ~~consideration names of persons to serve as members of the board~~

12 ~~and the governor shall first consider these persons in selecting~~

13 ~~the members of the board.] in accordance with the following~~

14 procedures:

15 (1) The representative of management shall be appointed by

16 the governor, who shall first consider any names

17 submitted by the counties; provided that each county

18 may submit no more than one name;



- 1 (2) The representative of labor shall be appointed by the
2 governor from a list of three nominees submitted by
3 mutual agreement of the exclusive representatives;
4 provided that if less than three names are submitted,
5 the governor may appoint the representative of labor
6 without being restricted to the list of names; and
7 (3) The representative of the public shall be appointed by
8 the governor."

9 2. By amending subsection (e) to read:

10 " (e) Any action taken by the board shall be by a simple
11 majority of the members of the board. All decisions of the
12 board shall be reduced to writing and shall state separately its
13 finding of fact and conclusions. Any vacancy in the board shall
14 not impair the authority of the remaining members to exercise
15 all the powers of the board. The governor may appoint an acting
16 member of the board in accordance with the procedures
17 established in subsection (b) during the temporary absence from
18 the State, temporary inability to act due to recusal, or illness
19 of any regular member. An acting member, during the acting
20 member's term of service, shall have the same powers and duties
21 as the regular member; provided that[+]



1 ~~(1) If the regular member is the representative of~~
2 ~~management or labor, then employee organizations~~
3 ~~representing public employees may submit to the~~
4 ~~governor for consideration names of persons to serve~~
5 ~~as an acting member and the governor shall first~~
6 ~~consider these persons in selecting an acting member;~~
7 ~~(2) If the regular member is the representative of~~
8 ~~management, then public employers may submit to the~~
9 ~~governor for consideration names of persons to serve~~
10 ~~as an acting member and the governor shall first~~
11 ~~consider these persons in selecting an acting member;~~
12 ~~(3) Subsection] subsection (d) shall not apply to an~~
13 ~~acting member[+] and~~
14 ~~[(4) An] an acting member appointed due to a regular~~
15 ~~member's recusal shall be appointed for the case in which the~~
16 ~~recusal occurred, and the acting member's appointment shall~~
17 ~~terminate when the final decision is filed or the case is~~
18 ~~withdrawn."~~

19 SECTION 2. Statutory material to be repealed is bracketed
20 and stricken. New statutory material is underscored.



1 SECTION 3. This Act shall take effect upon its approval,
2 and apply to appointments to the Hawaii labor relations board
3 occurring after the effective date of this Act.



Report Title:

Hawaii Labor Relations Board; Member Selection

Description:

Amends the procedures by which regular and acting members of the Hawaii Labor Relations Board are appointed by requiring the Governor, subject to certain limitations, to appoint: (1) The representative of the public; (2) The representative of management, after first considering a list of nominees submitted by the counties; and (3) The representative of labor from a list submitted by mutual agreement by the exclusive representatives. (HB2496 HD1)

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