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## A BILL FOR AN ACT

RELATING TO COLLECTIVE BARGAINING.

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

1       SECTION 1. Section 89-6, Hawaii Revised Statutes, is  
2 amended by amending subsection (f) to read as follows:

3       "(f) The following individuals shall not be included in  
4 any appropriate bargaining unit or be entitled to coverage under  
5 this chapter:

6       (1) Elected or appointed official;

7       (2) Member of any board or commission; provided that  
8 nothing in this paragraph shall prohibit a member of a  
9 collective bargaining unit from serving on a governing  
10 board of a charter school, on the state public charter  
11 school commission, or as a charter school authorizer  
12 established under chapter 302D;

13       (3) Top-level managerial and administrative personnel,  
14 including the department head, deputy or assistant to  
15 a department head, administrative officer, director,  
16 or chief of a state or county agency or major  
17 division, the principal of any public elementary,



- 1           middle, intermediate, or high school, and legal  
2           counsel;
- 3           (4) Secretary to top-level managerial and administrative  
4           personnel under paragraph (3); provided that this  
5           paragraph shall not apply to school administrative  
6           services assistants;
- 7           (5) Individual concerned with confidential matters  
8           affecting employee-employer relations;
- 9           (6) Part-time employee working less than twenty hours per  
10          week, except part-time employees included in unit (5);
- 11          (7) Temporary employee of three months' duration or less;
- 12          (8) Employee of the executive office of the governor or a  
13          household employee at Washington Place;
- 14          (9) Employee of the executive office of the lieutenant  
15          governor;
- 16          (10) Employee of the executive office of the mayor;
- 17          (11) Staff of the legislative branch of the State;
- 18          (12) Staff of the legislative branches of the counties,  
19          except employees of the clerks' offices of the  
20          counties;
- 21          (13) Any commissioned and enlisted personnel of the Hawaii  
22          national guard;



# H.B. NO. 682

1 (14) Inmate, kokua, patient, ward, or student of a state  
2 institution;

3 (15) Student help;

4 (16) Staff of the Hawaii labor relations board;

5 (17) Employees of the Hawaii national guard youth challenge  
6 academy; or

7 (18) Employees of the office of elections."

8 SECTION 2. This Act does not affect rights and duties that  
9 matured, penalties that were incurred, and proceedings that were  
10 begun before its effective date.

11 SECTION 3. Statutory material to be repealed is bracketed  
12 and stricken. New statutory material is underscored.

13 SECTION 4. This Act shall take effect upon its approval;  
14 provided that this Act shall apply to principals of public  
15 elementary, middle, intermediate, and high schools upon the  
16 expiration of the collective bargaining agreement between the  
17 board of education and bargaining unit 6 that is in force and  
18 effect on the effective date of this Act.

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INTRODUCED BY: *Paul M. ...*

JAN 22 2013



# H.B. NO. 682

**Report Title:**

Collective Bargaining; Public School Principals; Exclusion

**Description:**

Excludes public school principals from collective bargaining. Clarifies that school administrative services assistants are not excluded from bargaining units.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

