
A BILL FOR AN ACT

RELATING TO COLLECTIVE BARGAINING.

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

1 SECTION 1. Section 89-11, Hawaii Revised Statutes, is
2 amended by amending subsection (g) to read as follows:

3 "(g) The decision of the arbitration panel shall be final
4 and binding upon the parties on all provisions submitted to the
5 arbitration panel. ~~[If the parties have reached agreement with
6 respect to the amounts of contributions by the State and
7 counties to the Hawaii employer union health benefits trust fund
8 by the tenth working day after the arbitration panel issues its
9 decision, the final and binding agreement of the parties on all
10 provisions shall consist of the panel's decision and the amounts
11 of contributions agreed to by the parties. If the parties have
12 not reached agreement with respect to the amounts of
13 contributions by the State and counties to the Hawaii employer-
14 union health benefits trust fund by the close of business on the
15 tenth working day after the arbitration panel issues its
16 decision, the parties shall have five days to submit their
17 respective recommendations for such contributions to the
18 legislature, if it is in session, and if the legislature is not~~



1 ~~in session, the parties shall submit their respective~~
2 ~~recommendations for such contributions to the legislature during~~
3 ~~the next session of the legislature. In such event, the final~~
4 ~~and binding agreement of the parties on all provisions shall~~
5 ~~consist of the panel's decision and the amounts of contributions~~
6 ~~established by the legislature by enactment, after the~~
7 ~~legislature has considered the recommendations for such~~
8 ~~contributions by the parties.] It is strictly understood that~~
9 no member of a bargaining unit subject to this subsection shall
10 be allowed to participate in a strike on the issue of the
11 amounts of contributions by the State and counties to the Hawaii
12 employer-union health benefits trust fund. The parties shall
13 take whatever action is necessary to carry out and effectuate
14 the final and binding agreement. The parties may, at any time
15 and by mutual agreement, amend or modify the panel's decision.

16 Agreements reached pursuant to the decision of an
17 arbitration panel and the amounts of contributions by the State
18 and counties to the Hawaii employer-union health benefits trust
19 fund, as provided herein, shall not be subject to ratification
20 by the employees concerned. All items requiring any moneys for
21 implementation shall be subject to appropriations by the



1 appropriate legislative bodies and the employer shall submit all
2 such items within ten days after the date on which the agreement
3 is entered into as provided herein, to the appropriate
4 legislative bodies."

5 SECTION 2. Statutory material to be repealed is bracketed
6 and stricken.

7 SECTION 3. This Act shall take effect on January 7, 2059.

8



Report Title:

Employer-union Trust Fund; Collective Bargaining; Public
Employees; Arbitration

Description:

Clarifies that a decision of an arbitration panel shall be final and repeals the Legislature's role in recommending employer contributions to the EUTF if the negotiating parties are unable to agree on contribution amounts. Effective January 7, 2059.
(SD1)

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

