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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. The purpose of this Act is to allow graduate  
2 students employed by the University of Hawaii to collectively  
3 bargain.

4       SECTION 2. Section 89-6, Hawaii Revised Statutes, is  
5 amended as follows:

6       1. By amending subsection (a) to read:

7       "(a) All employees throughout the State within any of the  
8 following categories shall constitute an appropriate bargaining  
9 unit:

10       (1) Nonsupervisory employees in blue collar positions;

11       (2) Supervisory employees in blue collar positions;

12       (3) Nonsupervisory employees in white collar positions;

13       (4) Supervisory employees in white collar positions;

14       (5) Teachers and other personnel of the department of

15 education under the same pay schedule, including part-

16 time employees working less than twenty hours a week

17 who are equal to one-half of a full-time equivalent;



- 1 (6) Educational officers and other personnel of the  
2 department of education under the same pay schedule;
- 3 (7) Faculty of the University of Hawaii and the community  
4 college system;
- 5 (8) Personnel of the University of Hawaii and the  
6 community college system, other than faculty;
- 7 (9) Registered professional nurses;
- 8 (10) Institutional, health, and correctional workers;
- 9 (11) Firefighters;
- 10 (12) Police officers;
- 11 (13) Professional and scientific employees, who cannot be  
12 included in any of the other bargaining units; ~~and~~
- 13 (14) State law enforcement officers and state and county  
14 ocean safety and water safety officers~~[-]~~; and
- 15 (15) Graduate students employed by the University of  
16 Hawaii."

17 2. By amending subsection (f) to read:

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

- 21 (1) Elected or appointed official;



- 1 (2) Member of any board or commission; provided that  
2 nothing in this paragraph shall prohibit a member of a  
3 collective bargaining unit from serving on a governing  
4 board of a charter school, on the state public charter  
5 school commission, or as a charter school authorizer  
6 established under chapter 302D;
- 7 (3) Top-level managerial and administrative personnel,  
8 including the department head, deputy or assistant to  
9 a department head, administrative officer, director,  
10 or chief of a state or county agency or major  
11 division, and legal counsel;
- 12 (4) Secretary to top-level managerial and administrative  
13 personnel under paragraph (3);
- 14 (5) Individual concerned with confidential matters  
15 affecting employee-employer relations;
- 16 (6) Part-time employee working less than twenty hours per  
17 week, except part-time employees included in unit (5);
- 18 (7) Temporary employee of three months' duration or less;
- 19 (8) Employee of the executive office of the governor or a  
20 household employee at Washington Place;



(9) Employee of the executive office of the lieutenant governor;

(10) Employee of the executive office of the mayor;

(11) Staff of the legislative branch of the State;

(12) Staff of the legislative branches of the counties, except employees of the clerks' offices of the counties;

(13) Any commissioned and enlisted personnel of the Hawaii national guard;

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

(15) Student help[+], except a graduate student employed by the University of Hawaii;

(16) Staff of the Hawaii labor relations board;

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

(18) Employees of the office of elections."

SECTION 3. (a) The director of human resources development shall convene the collective bargaining unit (15) working group to develop and make recommendations for specific rights and privileges that should be provided to graduate



1 student assistants in prospective collective bargaining unit  
2 (15).

3 (b) The director of human resources development shall  
4 invite parties deemed appropriate by the director to participate  
5 in the collective bargaining unit (15) working group.

6 (c) The working group shall:

7 (1) Determine specific collective bargaining rights and  
8 privileges to be proposed for collective bargaining  
9 unit (15);

10 (2) Consider appropriate salaries, wages, other  
11 compensation, and working hour restrictions for  
12 individuals in bargaining unit (15); and

13 (3) Consider whether individuals in collective bargaining  
14 unit (15) should be provided with the right to binding  
15 arbitration or to strike.

16 (d) No later than twenty days prior to the convening of  
17 the regular session of 2016, the collective bargaining unit (15)  
18 working group shall submit to the legislature a report of its  
19 findings, recommendations, and proposed legislation, if any,  
20 regarding the rights and privileges that should be provided to  
21 individuals in collective bargaining unit (15). The legislature



1 shall consider the recommendations of the collective bargaining  
2 unit (15) working group and determine whether to amend the  
3 State's collective bargaining laws to effectuate the  
4 recommendations of the working group.

5 (e) Members of the collective bargaining unit (15) working  
6 group shall receive no compensation but shall be reimbursed for  
7 expenses, including travel expenses, incurred in the performance  
8 of their duties in the working group.

9 (f) The collective bargaining unit (15) working group  
10 shall cease to exist on June 30, 2016.

11 SECTION 4. This Act does not affect rights and duties that  
12 matured, penalties that were incurred, and proceedings that were  
13 begun before its effective date.

14 SECTION 5. Statutory material to be repealed is bracketed  
15 and stricken. New statutory material is underscored.

16 SECTION 6. This Act shall take effect on July 1, 2050;  
17 provided that the amendments made to section 2 shall take effect  
18 December 31, 2016.



**Report Title:**

Collective Bargaining Units; UH graduate students

**Description:**

Establishes UH graduate student assistants as collective bargaining unit (15), effective 12/31/2016. Requires the director of human resources development to establish a working group to submit recommendations on the rights and privileges of individuals in collective bargaining unit (15) to the legislature. Effective 7/1/2050. (SD1)

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

