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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 10-12, Hawaii Revised Statutes, is  
2 amended to read as follows:

3           "~~§~~10-12 **Assistant; staff.** The administrator may employ  
4 and retain [~~such~~] officers and employees as may be necessary to  
5 carry out the functions of the office. [~~Such~~] The officers [~~and~~  
6 ~~employees~~] may be hired without regard to chapter 76, and shall  
7 serve at the pleasure of the administrator. The employees shall  
8 be subject to chapters 76 and 89. Officers and employees of the  
9 office of Hawaiian affairs shall be included in any benefit  
10 program generally applicable to officers and employees of the  
11 State."

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

14           "(d) For the purpose of negotiating a collective  
15 bargaining agreement, the public employer of an appropriate  
16 bargaining unit shall mean the governor together with the  
17 following employers:



- 1 (1) For bargaining units (1), (2), (3), (4), (9), (10),  
2 (13), and (14), the governor shall have [~~six~~] seven  
3 votes and the following individuals or entities shall  
4 each have one vote if they have employees in the  
5 particular bargaining unit:
- 6 (A) The mayors [~~the~~];  
7 (B) The chief justice [~~and the~~];  
8 (C) The Hawaii health systems corporation board  
9 [~~shall each have one vote if they have employees~~  
10 ~~in the particular bargaining unit~~]; and
- 11 (D) The board of trustees of the office of Hawaiian  
12 affairs as a whole;
- 13 (2) For bargaining units (11) and (12), the governor shall  
14 have four votes and the mayors shall each have one  
15 vote;
- 16 (3) For bargaining units (5) and (6), the governor shall  
17 have three votes, the board of education shall have  
18 two votes, and the superintendent of education shall  
19 have one vote; and
- 20 (4) For bargaining units (7) and (8), the governor shall  
21 have three votes, the board of regents of the



1 University of Hawaii shall have two votes, and the  
2 president of the University of Hawaii shall have one  
3 vote.

4 Any decision to be reached by the applicable employer group  
5 shall be on the basis of simple majority, except when a  
6 bargaining unit includes county employees from more than one  
7 county. In that case, the simple majority shall include at  
8 least one county."

9 SECTION 3. All existing employees of the office of  
10 Hawaiian affairs shall be conferred permanent civil service  
11 status within the meaning of chapter 76, Hawaii Revised  
12 Statutes, without the necessity of examination, without any  
13 reduction in pay, and without any loss of seniority, prior  
14 service credit, vacation and sick leave credits earned, or loss  
15 of any benefits accorded a civil service employee.

16 SECTION 4. The rights, benefits, and privileges currently  
17 enjoyed by employees of the office of Hawaiian affairs,  
18 including those rights, benefits, and privileges under chapters  
19 78, 87A, and 88, Hawaii Revised Statutes, shall not be impaired  
20 or diminished as a result of these employees being transitioned  
21 to their respective bargaining unit. The transition to the new



1 bargaining units shall not result in any break in service for  
2 the affected employees.

3 SECTION 5. This Act does not affect rights and duties that  
4 matured, penalties that were incurred, and proceedings that were  
5 begun before its effective date.

6 SECTION 6. Statutory material to be repealed is bracketed  
7 and stricken. New statutory material is underscored.

8 SECTION 7. This Act shall take effect on July 1, 2030.



**Report Title:**

OHA; Collective Bargaining; Civil Service

**Description:**

Makes Office of Hawaiian Affairs (OHA) employees subject to civil service and collective bargaining rights. Gives OHA voting rights as a public employer. (HB865 HD2)

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

