Testimony Presented Before the
Senate Committees on Higher Education and Labor
February 13, 2018 at 2:45 p.m.
By
Donald O. Straney
Vice President for Academic Planning and Policy
University of Hawai'i System

SB 2585 - RELATING TO COLLECTIVE BARGAINING

Chairs Kahele and Tokuda, Vice Chairs Kim and English, and members of the committees:

On behalf of the University of Hawai'i, I am submitting testimony regarding Senate Bill 2585 – Relating to Collective Bargaining – which proposes to amend HRS §89-6, to allow graduate student assistants employed at the University of Hawai'i to organize for collective bargaining purposes and to form a new bargaining unit. In addition, this bill proposes to amend HRS 89-11 and provide the Hawai'i Labor Relations Board the requisite authority to assist in the resolution of impasse.

The University of Hawai'i opposes the passage of this measure.

As we explained in prior testimony submitted in response to similar bills introduced in the 2015, 2016, 2017 and 2018 legislative sessions, there are several issues associated with allowing University-employed graduate student assistants to be included in collective bargaining that the Legislature should seriously consider.

First, graduate students are primarily students first and are only secondarily employees. They attend the University to learn about their chosen fields of study and prepare for careers; they do not enroll at the University to obtain a job. These graduate students are mentored and supervised by our rank 3, 4, and 5 faculty members who hold PhDs or other terminal level degrees, with many years of proven professional competence and experience including evidence of proficiency in teaching and/or research.

Although a large part of our efforts as University mentors is aimed at teaching graduate assistants the actual subject matter, a similar large part is devoted to developing graduate student assistants as professionals prepared for careers in research, teaching, or public service. Graduate assistants learn essential skills for their careers while in their graduate assistant positions under the guidance and supervision of our current faculty employees. The purpose of a graduate assistantship is to train and mentor a graduate student in specific skills with the explicit goal of increasing their competitiveness as the graduate student enters a professional academic career. Graduate assistantships are a component of graduate student education and training designed to help them prepare for their future careers.

Second, "graduate student assistant" is not a career position, but instead is temporary and limited. There are no long-term career opportunities for graduate student assistant positions at the University. The transitory status of a graduate teaching assistant is thus different from the forms of employment represented by the collective bargaining units established under HRS §89-6. An important purpose of these collective bargaining units is to ensure sustainable, long-term careers in local government service in Hawai'i for teachers, fire fighters, police officers, corrections officers, clerical support staff, custodial and grounds staff and trades employees. Graduate teaching assistants differ substantially from this purpose as there are no long-term careers possible for this category.

Third, establishing a collective bargaining unit for graduate assistants will create a financial burden for the state and, potentially, for graduate students. Currently, the University manages the compensation for graduate assistants, including tuition waivers, stipends and other benefits. But under the proposed legislation, these would become "cost items" subject to mandatory collective bargaining. The associated costs would be extended to include membership in the State Employees' Retirement System as provided to employees in Chapter 88, HRS, which would add pension contribution costs to the State. In addition, any increased enrollment in the Employer-Union Trust Fund for health insurance benefits would also add increased expenses to the University and State for contributions to the system.

All compensation collectively bargained for may be treated as wages that will be subject to employment and income taxes. Currently, graduate student assistants' tuition waivers are not taxed as income. However, this fall, the US House of Representatives passed legislation that would make tuition waivers taxable, which would have had a large, negative economic impact on graduate student assistants. Fortunately, the final tax legislation excluded this provision, but there is continuing concern that Congress may pursue policies that will further tax the benefits of graduate student assistantship compensation.

Finally, graduate student assistants of the University are already compensated via a package that includes a variety of benefits. The University enacted Executive Policy EP5.223 to provide graduate student assistants with the right to file employment related grievances. This policy also clarified that outside employment and calling in sick are not prohibited, and it also provides graduate assistants with a 9 or 11 month pay schedule ranging from Steps 1 to 20. Moreover, our graduate assistants who work at least 20 hours per week are eligible to enroll in the same health and benefit plans (medical, prescription drugs, dental, vision and life insurance) as our career employees who are members of bargaining units. Further, our graduate assistants who are full-time students are also exempt from the FICA tax.

The current level of compensation is a considerable cost to the University and constitutes a significant amount of the financial assistance provided to graduate student

assistants. In addition, graduate student assistants receive tuition waivers so they can concentrate on being first-rate students and achieve degree completion in timely manner. At UH Mānoa, for example, general resident graduate student tuition currently ranges is \$637 per credit hour and most GAs take 9 credits which equates to \$5733 per semester (\$11,466 annually), while non-resident tuition is \$1532 per credit hour, typically \$13,788 per semester (\$27,576 per year on average). Graduate student assistants may also receive monetary stipends that can vary by the educational program in which they are enrolled. During the 2016-17 academic year, depending on residency, educational program, and schedule, the value of tuition waivers and stipends was estimated to typically range between \$28,958 (9-month GAs at the minimum stipend level taking 9 credits per semester) and \$50,604 annually (11-month GAs at the minimum stipend level taking 9 credits per semester), with a potential maximum value as high as \$58,663 annually (professional school tuition rates [Nursing] taking 12 credits, with a 11-month GAship at the top of the salary range). We note the University did request funding in its budget request to provide increases to graduate student compensation.

In summary, this measure would create a bargaining unit that is unique in the State, comprised of transitory members who remain students first with the intention of learning skills to increase their competitiveness when they graduate and begin a professional career. The University believes this measure could negatively impact our ability to train graduate students and ensure timely degree completion, while increasing expenses to the University and the state, and above all else, blurring the lines between students and employees.

Based on the above, we request that this measure be deferred.

Thank you for the opportunity to testify on this measure.

EMPLOYEES' RETIREMENT SYSTEM

OFFICE OF THE PUBLIC DEFENDER

HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND



STATE OF HAWAII DEPARTMENT OF BUDGET AND FINANCE

P.O. BOX 150 HONOLULU, HAWAII 96810-0150 ADMINISTRATIVE AND RESEARCH OFFICE BUDGET, PROGRAM PLANNING AND MANAGEMENT DIVISION FINANCIAL ADMINISTRATION DIVISION OFFICE OF FEDERAL AWARDS MANAGEMENT (OFAM)

WRITTEN ONLY

TESTIMONY BY LAUREL A. JOHNSTON
ACTING DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE
TO THE SENATE COMMITTEES ON HIGHER EDUCATION AND LABOR
ON
SENATE BILL NO. 2585

February 13, 2018 2:45 p.m. Room 229

RELATING TO COLLECTIVE BARGAINING

This measure allows graduate students employed by the University of Hawaii (UH) to collectively bargain by amending Chapter 89-6, HRS, to remove the exemption from collective bargaining for graduate student assistants employed by the UH and authorizing a new Bargaining Unit 15.

The Department of Budget and Finance opposes this measure. The cost implications of allowing graduate student assistants to collectively bargain are a special concern, for both the state budget and for UH's current fiscal situation. Negotiation of pay increases for graduate students needs to be weighed against the foregone revenue from tuition waivers and other fees that graduate students do not pay as part of their assistantships. Further, their work hours and work conditions would all need to be part of collective bargaining negotiations that might not fit the flexible schedules that graduate students require to complete their academic program.

Thank you for your consideration of our comments.



STATE OF HAWAII OFFICE OF COLLECTIVE BARGAINING EXECUTIVE OFFICE OF THE GOVERNOR

235 S. BERETANIA STREET, SUITE 1201 HONOLULU, HAWAII 96813-2437

February 12, 2018

TESTIMONY TO THE SENATE COMMITTEE ON HIGHER EDUCATION AND THE SENATE COMMITTEE ON LABOR For Hearing on Tuesday, February 13, 2018 2:45 p.m., Conference Room 229

By

RYKER WADA CHIEF NEGOTIATOR

Senate Bill No. 2585 Relating to Collective Bargaining

(WRITTEN TESTIMONY ONLY)

CHAIRPERSONS KAHELE AND TOKUDA, VICE CHAIRS MERCADO KIM AND ENGLISH AND MEMBERS OF THE SENATE COMMITTEES ON HIGHER EDUCATION AND LABOR:

Senate Bill No. 2585 proposes to establish a collective bargaining unit for graduate student assistants employed by the University of Hawaii.

The Office of Collective Bargaining (OCB) **DOES NOT SUPPORT** this bill for the following reasons:

Unlike other public employees, who are career, long term employees
engaged in collective bargaining, a graduate student employment is
temporary and is not a career or profession. However, the OCB defers to
the University of Hawaii on the definition of employee versus graduate
students.

Establishing UH graduate students as collective bargaining unit 15 could have significant cost increases for both the UH and the State since mandatory subjects of collective bargaining cover wages, hours, condition of employment, and fringe benefits.

Thank you for this opportunity to testify on this measure.



HAWAII STATE AFL-CIO

345 Queen Street, Suite 500 • Honolulu, Hawaii 96813

Telephone: (808) 597-1441 Fax: (808) 593-2149

The Twenty-Ninth Legislature, State of Hawaii
Hawaii State Senate
Committee on Higher Education
&
Committee on Labor

Testimony by Hawaii State AFL-CIO

February 13, 2018

S.B. 2585 – RELATING TO COLLECTIVE BARGAINING

The Hawaii State AFL-CIO strongly supports S.B. 2585 which establishes a collective bargaining unit for graduate student assistants employed by the University of Hawaii.

Having the ability to collectively bargain will give University of Hawaii graduate assistants a unified voice to discuss their working conditions, wages, and a number of other benefits to help improve their quality of life and work environment. Collective bargaining will help solve workplace problems and provide a grievance process to ensure each situation is handled appropriately and fairly. The Hawaii State AFL-CIO strongly urges the passage of S.B. 2585.

Thank you for the opportunity to testify.

Randy Perreira

ectfully submitted,

President



The Committee on Higher Education and The Senate Committee on Labor Tuesday, February 13, 2018 2:45 PM, Conference Room 229

RE: SB 2585 Relating to Collective Bargaining

Attention: Chairs Kai Kahele and Jill Tokuda, Vice Chairs Donna Mercado Kim and Kalani English and Members of the respective Committees

The University of Hawaii Professional Assembly (UHPA) urges the committee to **support passage of SB2585** that amends Section 89-6 of the Hawaiii Revised Statute to create bargaining unit 15, allowing full-time graduate students employed at the University of Hawaii to collectively bargain.

Graduate students are essential to instruction, research and mentoring undergraduate students that contributes to the overall success of the University of Hawai'i. They are in the full sense of the term, employees, with continuing access to positions based on job and academic performance.

When representing faculty, UHPA has worked with graduates students, and on occasion, have provided guidance. The current University of Hawai'i policy governing Graduate Students does not provide the proper protections of this group of employees. Collective Bargaining would allow this group the following:

- Negotiation of grievance procedures with access to arbitration
- Protection from arbitrary and capricious behavior
- Negotiation of salary, wages and benefits

While UHPA is unable to represent Graduate Students, our experience indicates this group of student employees needs the ability to advance its interests in establishing appropriate conditions of employment and treatment in the workplace.

Respectfully submitted

Kristeen Hanselman Executive Director



Academic Labor United

www.academiclaborunited.org

Testimony from Academic Labor United Tuesday, February 13th, 2018 2:45PM, Room 229

Attention: Senate Committee on Higher Education

Senator Kaiali'i Kahele, Chair

Senator Donna Mercado Kim, Vice Chair

Senate Committee on Labor Senator Jill N. Tokuda, Chair Senator J. Kalani English, Vice Chair

Re: Strong Support for SB2585 Relating to Collective Bargaining

Thank you for the opportunity to provide testimony. Academic Labor United (ALU) stands in **strong support** of this bill. ALU is working to improve the lives of the 1250+ graduate assistants employed at the University of Hawaii and gain recognition for the work we do.

SB2585 will amend HRS 89-6 to create bargaining unit 15 for graduate assistants and provide a conflict resolution mechanism for said bargaining unit that is consistent with other units representing workers employed at the University of Hawaii. This will enable graduate assistants to organize for the purposes of collective bargaining.

The majority of teaching assistants (GTA) are in charge of teaching their own classes. They do all the grading and lecturing, as well as design the syllabus and manage the classroom. Our research assistants (GRA) are often working on multiple independent projects, performing cutting-edge research, at the direction of an assigned supervisor. Other graduate assistants (GA) are working in administrative offices and running key facilities, performing the same duties as any administrative office worker. Many GAs in fact work as replacements for positions that were once performed by better-paid, unionized faculty.

Article 13 Section 2 of the Hawaii State Constitution states "Persons in public employment shall have the right to organize for the purpose of collective bargaining as provided by law." (Hawaii. Const. art XIII, sex. 2) Graduate assistants in every role meet the common-law test's criteria for employment as well as the so-called ABC test's criteria. Graduate Assistants do not control their own hours and have employment taxes withheld from their State of Hawaii issued paychecks. graduate assistants are required to attend trainings and undergo periodic evaluations. A graduate assistant's supervisor, often a University recognized employee, controls the means and manner in which a graduate assistant carries out their work. Graduate assistants further qualify as employees under HRS 377-1 and HRS 377-4.6(C). They are recognized as employees by National Labor Relations Board, the State of Hawaii, and the University of Hawaii. It is clear that graduate assistants have a constitutionally guaranteed civil right to organize for the purposes of collective bargaining. (Hawaii. Const. art XIII, sex. 2)



Academic Labor United

www.academiclaborunited.org

In August 2016, the National Labor Relations Board reversed a Bush-era decision that had prevented graduate assistants at private universities from engaging in collective bargaining. They found that it "deprived an entire category of workers of the protections of the Act without a convincing justification." (National Labor Relations Board, 2016) We are now seeing unions form at private universities such as Columbia University, Harvard University, and many more.

There are currently 33 graduate assistant unions at public universities in the United States. They include the University of California System, the University of Iowa, University of Washington, University of Illinois Chicago, and many more. (<u>CGEU</u>, <u>2018</u>) Graduate assistant unions have existed for 50 years. We are not seeking to depart from the norm. Collective bargaining for graduate assistants has become the norm.

While executive management has argued that they are better at handling workplace issues than organized workers, they have consistently failed to obtain any wage increases for graduate assistants while organized workers represented by a union have received regular wage increases. The combination of stagnant wages well below the minimum cost of living, zero job security, and the absence of basic benefits like sick, medical, and parental leave, make the University of Hawaii uncompetitive when it comes to recruiting and retaining graduate students.

In an effort to assuage the Governor's concerns, we are amendable to carving bargaining unit 15 entirely out of the Employee Retirement System. We recognize that this is a significant concession and one that we should not have to make in order to access constitutionally guaranteed civil rights.

Graduate assistants are denied paid sick days, medical leave, and parental leave. (University of Hawaii, 2016) According to a recent campus climate survey one in six graduate students experiences sexual harassment. (Loui et al. 36) Additionally, their harassers were significantly more likely to be employees at the university in positions of greater authority than others surveyed. (Loui et al. 38) Graduate assistants start at \$17,502 for a 9 month contact at UH Manoa and \$14,382 for a 9 month contract at UH Hilo. (University of Hawaii, 2016) They have not received a pay raise since 2004 while executive management have continued to see raises. Graduate assistants lack recourse when faced with administrative decisions that jeopardize their wellbeing and safety. They have no formal protection guaranteeing their right to free inquiry and expression. These are issues that unions have had success resolving.

Graduate assistants are an integral part of the UH system and the local economy. While attending UH, we constitute a committed learning community, conduct important research, and perform a substantial proportion of teaching and administrative duties. Unfortunately, we are poorly compensated and are vulnerable to capricious and arbitrary behavior by our employer. As individuals, we stand little chance of success in demanding better treatment and compensation, and the long history of failed attempts at improvements proves this to be true. Our best hope for improving our own situations, then, is to come together and collectively bargain for a better university. For these reasons, we strongly urge that SB2585 be passed.

Sources:

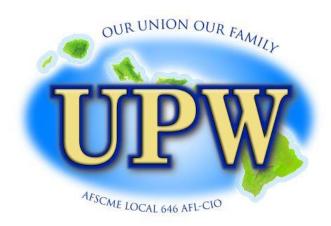


Academic Labor United

www.academiclaborunited.org

- 1. Hawaii. Const. art. XIII. sec. 2
- 2. "NLRB.gov" Board: Student Assistants Covered by the NLRA / NLRB. N.p.,n.d, Web. 23 Jan. 2018.
- "Coalition of Graduate Employee Unions." United States- Coalition of Graduate Employee Unions. www.thecgeu.org/wiki/United_States.
- 4. "Executive Policy EP 5.223, Graduate Assistants." University of Hawaii.

 https://www.hawaii.edu/policy/index.php?action=viewPolicy&policySection=ep&policyChapter=5&policyNumber=223&menuView=closed.n.d. Web Jan 23 2018
- 5. Loui, Patricia, et al. *REPORT ON UNIVERSITY OF HAWAI'I STUDENT CAMPUS CLIMATE SURVEY ON SEXUAL HARASSMENT AND GENDER-BASED VIOLENCE*. Omni Trak Group, 2018.



THE HAWAII STATE SENATE The Twenty-Ninth Legislature Regular Session of 2018

COMMITTEE ON LABOR

Senator Jill N. Tokuda, Chair Senator J. Kalani English, Vice Chair

DATE OF HEARING: Tuesday, February 13, 2018

TIME OF HEARING: 2:45 p.m.

PLACE OF HEARING: State Capitol, Conference Room 229

TESTIMONY ON SENATE BILL 2585 RELATINGTO COLLECTIVE BARGAINING

By DAYTON M. NAKANELUA, State Director of the United Public Workers (UPW), AFSCME Local 646, AFL-CIO

My name is Dayton M. Nakanelua, State Director of the United Public Workers, AFSCME, Local 646, AFL-CIO. The UPW is the exclusive bargaining representative for approximately 12,000 public employees, which include blue collar, non-supervisory employees in Bargaining Unit 01 and institutional, health and correctional employees in Bargaining Unit 10, in the State of Hawaii and various counties. The UPW also represents about 1,500 members of the private sector.

SB2585 establishes a collective bargaining unit for graduate student assistants employed by the University of Hawaii. In 2014, there were 33 graduate employee unions in the United States most of them formed in the 1990s. Universities have recognized graduate students working at the institution as academic student employees (ASE) some including undergraduate students who work in represented job classifications. Further, faculty associations like the American Association of University Professors recognize the graduate student unions and 14 states give collective bargaining rights to student unions. Of interest, the Internal Revenue Service considers compensation to graduate student employees to be wages and reported on W-2 income tax forms. The UPW strongly supports SB2585.

Thank you for the opportunity to submit this testimony.



Eric W. Gill, Financial Secretary-Treasurer

Gemma G. Weinstein, Presiden

Godfrey Maeshiro, Senior Vice-President

Saturday, February 10, 2018

Senate Committees on Higher Education and Labor Hawaii State Legislature State Capitol 415 South Beretania Street

TESTIMONY submitted on behalf of UNITE HERE! Local 5

Re: SB 2585, Relating to Collective Bargaining; UH graduate assistants

Aloha Chair Kahele, Chair Tokuda and Committee Members:

UNITE HERE Local 5 - a local labor organization representing 11,00 hotel, health care and food service workers employed throughout our State – would like to offer comments in support of SB 2585.

SB 2585 is currently drafted to amend Section 89-6 of the HRS to include a separate and distinct bargaining unit for graduate student assistants employed by the University of Hawaii.

As an organization whose members primarily work in the Hawai'i's service sector and whose children primarily seek higher education opportunities in our public university system, we understand the need for valuing workers – in this case, graduate students – who contribute directly to the education of our youth.

We recognize the vital role graduate student employees play in helping to keep our University System functional. They contribute immensely towards ensuring that our University remains a committed space for learning in our community. Graduate students are often responsible for a substantial portion of teaching duties and research not dissimilar from unionized faculty, and have and continue to encounter many workplace issues, but unlike unionized faculty and staff are not afforded the same rights and respect that come with such representation.

In 2016, the National Labor Relations Board reversed the decades-long ban on private university graduate unions declaring that graduate assistants are workers that deserve the right to unionize. Graduate assistant unions have existed for 50 years in states such as California, Oregon, Washington, New York, Illinois, Montana, Massachusetts, Iowa, and many more. It's time for Hawai'i to join that list.

SB 2585 is an articulation of basic fairness in workplaces directly controlled by the State, and indirectly by all of us as taxpayers. We ask for your Committee's support in moving SB 2585.

Thank you.

Hawaiʻi Construction Alliance



P.O. Box 179441 Honolulu, HI 96817 (808) 348-8885

February 12, 2018

The Honorable Kaiali'i Kahele, Chair
The Honorable Donna Mercado Kim, Vice Chair
and members
Senate Committee on Higher Education
Hawai'i State Legislature
Honolulu, Hawai'i 96813

The Honorable Jill N. Tokuda, Chair The Honorable J. Kalani English, Vice Chair and members Senate Committee on Labor Hawai'i State Legislature Honolulu, Hawai'i 96813

RE: Support for SB2585, Relating to Collective Bargaining

Dear Chairs Kahele and Tokuda, Vice Chairs Kim and English, and members:

The Hawai'i Construction Alliance is comprised of the Hawai'i Regional Council of Carpenters; the Operative Plasterers' and Cement Masons' Union, Local 630; International Union of Bricklayers & Allied Craftworkers, Local 1; the Laborers' International Union of North America, Local 368; and the Operating Engineers, Local Union No. 3. Together, the member unions of the Hawai'i Construction Alliance represent 15,000 working men and women in the basic crafts of Hawai'i's construction industry.

We support SB2585, Relating to Collective Bargaining, which would establish a collective bargaining unit for graduate student assistants employed by the University of Hawai'i.

We stand in solidarity with all workers who wish to organize, regardless of their age, status as students, or the chosen career paths. The ability for workers to establish a collective bargaining unit is critical for:

- Resolving workplace issues in a fair and equitable manner;
- Preventing arbitrary actions by their employers;
- Receiving just compensation for their time, skill, and labor;
- Agreeing upon workplace standards with their employers such as safety, hours, and benefits; and
- Providing a means of resolution if the above cannot be agreed upon or is violated.

The benefits provided to employees through the collective bargaining process are especially important for graduate student assistants who often face challenges in balancing their educational goals with their employment expectations, particularly as class size and workload increase and departmental budgets decrease.

In closing, we request your committees' favorable action on this bill.

Mahalo for the opportunity to provide these comments.

Aloha,

Tyler Dos Santos-Tam Executive Director Hawai'i Construction Alliance

execdir@hawaiiconstructionalliance.org



February 13, 2018

The Twenty-Ninth Legislature Hawaii State Senate Committee on Higher Education & Committee on Labor

SB2585 - RELATING TO COLLECTIVE BARGAINING

Chairs Kahele and Tokuda, Vice Chairs Kim and English, and Members of the Committees,

The International Brotherhood of Electrical Workers Local Union 1260, AFL-CIO (IBEW1260), represents more than 3500 members, has advocated for all workers in the State of Hawaii for over seventy-five years and respectfully offers the following testimony in **STRONG SUPPORT** of Senate Bill 2585 (SB2585).

Graduate Student Assistants are essential to the success of the University of Hawaii system and should be extended the same collective bargaining rights as all other workers to address wages, benefits and work rules. For this reason, IBEW1260 respectfully ask the Committee to support SB2585 guaranteeing graduate students a voice in the workplace and the ability to work collectively for workplace dignity.

Mahalo for the opportunity to provide testimony on this issue.

Respectfully,

Michael M. Brittain Asst. Business Manager IBEW1260 / AFL-CIO



1200 Ala Kapuna Street * Honolulu, Hawaii 96819 Tel: (808) 833-2711 * Fax: (808) 839-7106 * Web: www.hsta.org

> Corey Rosenlee President Justin Hughey Vice President Amy Perruso Secretary-Treasurer

TESTIMONY BEFORE THE SENATE COMMITTEES ON HIGHER EDUCATION and LABOR

Wilbert Holck Executive Director

RE: SB 2585 - RELATING TO COLLECTIVE BARGAINING

TUESDAY, FEBRUARY 13, 2018

COREY ROSENLEE, PRESIDENT HAWAII STATE TEACHERS ASSOCIATION

Chair Kahele, Chair Tokuda, and Members of the Committee:

The Hawaii State Teachers Association <u>supports SB 2585</u>, relating to collective bargaining.

Collective bargaining is a human right. According to Article 23(4) of the United Nations Universal Declaration of Human Rights, adopted in 1948, "everyone has the right to form and to join trade unions for the protection of his interests." Likewise, the International Labor Organization, the UN agency responsible for safeguarding international labor standards, states in its Constitution and Declaration of Principles that the freedoms to associate and bargain collectively are fundamental rights of workers worldwide.

Graduate student assistants at the University of Hawai'i must no longer be denied their fundamental human rights. Besieged by budget cuts over the past decade, graduate students have borne increased class sizes and workloads, while suffering the same low pay of \$17,500 since the 2003-2004 academic year. Like educators throughout Hawai'i, they have seen their purchasing power crushed beneath our state's highest-in-the-nation cost of living.

Graduate student assistants are vital to the university community, performing instruction, research, and administrative work. Their labor, like all labor, should be publicly recognized by guaranteeing the right to bargain for fair wages and work conditions. To give graduate student assistants the ability to protect their interests and promote higher education, the Hawaii State Teachers Association asks your committee to **support** this bill.

46-063 Emepela Pl. #U101 Kaneohe, HI 96744 · (808) 679-7454 · Kris Coffield · Co-founder/Executive Director

TESTIMONY FOR SENATE BILL 2585, RELATING TO COLLECTIVE BARGAINING

Senate Committee on Higher Education Hon. Kaiali'i Kahele, Chair Hon. Donna Mercado Kim, Vice Chair

Senate Committee on Labor Hon. Jill N. Tokuda, Chair Hon. J. Kalani English, Vice Chair

Tuesday, February 13, 2018, 2:45 PM State Capitol, Conference Room 229

Honorable Chair Kahele, Chair Tokuda, and committee members:

I am Kris Coffield, representing IMUAlliance, a nonpartisan political advocacy organization that currently boasts over 400 members. On behalf of our members, we offer this testimony in strong support of Senate Bill 2585, relating to collective bargaining.

There is a power in a union.

Today, political pundits prognosticate about the possible onslaught of austerity facing our nation. Many of these same pundits believe that labor unions are an impediment to economic prosperity, arguing that collective bargaining sets wages and work conditions above what the free market demands.

They couldn't be more wrong. Collective bargaining is a civil right. Unionized employees' compensation and work protections, moreover, are essential to creating an upwardly mobile middle class and continually increasing economic prosperity. As economist Paula Voos of Rutgers University School of Management and Labor Relations notes, "It is no accident that the prosperity and consumer boom of the 1950s—a period of unprecedented middle-class expansion, broad business growth, increased home ownership, rising consumer spending, and the shared expectation that a college education was within the reach of everyone and that the lives of our children would be better than our own–followed the greatest sustained expansion of unionization in American history."

Kris Coffield (808) 679-7454 imuaalliance@gmail.com

Unsurprisingly, decreasing American middle-class incomes and the rapidly widening wealth gap in our country parallel a significant decline in union membership. It is imperative, then, that we promote higher productivity by strengthening labor-management relations. Through a union, employees have a means to engage with management about workplace problems, inefficient processes, unfair work conditions, and unsupportive compensation. Unions also reduce employee turnover and increase the retention of highly experienced employees, creating circumstances that favor professional development and mutual trust in the workplace.

Graduate student assistants at the University of Hawai'i have earned the right to demand respect from university management. In providing instruction to students and research that expands our society's knowledge base, graduate students tirelessly toil on behalf of the university community, often under fear of retaliation because of a lack of organizing power in resisting exploitation. Graduate student assistants are short-term positions. Yet, the duration of graduate positions only heightens the urgency of establishing collective bargaining protections, as temporary employees too often fall prey to employers who exploit the precarious nature of these positions and assume student workers will simply "deal with the pain and move on," as one graduate assistant member of IMUAlliance maintains. Most startlingly, UH graduate assistants currently earn an average of \$18,256 per year, according to Glassdoor.com, a number that has not significantly increased since the 2003-2004 academic year. At the sunrise of 2018, that amount carries nearly \$6,000 less purchasing power than it did fourteen years ago *before* adjusting for Hawai'i's high cost of living. Even for students, it is nowhere near a livable wage.

Thomas Jefferson wrote, "Eternal vigilance is the price of liberty." The same is true with basic civil rights, including the rights to freely associate and bargain for fair pay and work conditions, which are constantly under assault by a corporate mindset that puts dollars before democracy. Mahalo for the opportunity to testify in strong support of this bill.

Sincerely, Kris Coffield Executive Director IMUAlliance Chair Kahele and Tokuda Vice Chair Kim and English Senate Committee on Higher Education Senate Committee on Labor

Tuesday February 13, 2018 2:45 PM

TESTIMONY IN STRONG SUPPORT OF SB2585 RELATING TO COLLECTIVE BARGAINING

Aloha Chair Kahele and Tokuda, Vice Chair Kim and English, Members of the Senate Committee on Higher Education and the Senate Committee on Labor.

My name is Jun Shin and I am a board member at-large for Young Progressives Demanding Action – Hawaii (YPDA Hawaii). I am testifying in strong support of SB2585.

As a young person who has decided to step up and take part in the legislative process and a Freshman Political Science at the University of Hawaii at Manoa, this has become a very important issue to me. I have seen amazing energy from graduate students, who have stepped up, went to meet and lobby our elected officials, and all those who have worked hard to write and prepare to give oral testimony for the House and now the Senate version of this bill as well.

They have been inspirational. In a time where many people see young people as individuals who don't care about politics and the impact it has on their future, these grad students who are working hard to unionize have proven them wrong by going the distance to seek to improve their conditions and unionize through politics. As I have emphasized in the House version of this bill, I admire passion in individuals. Graduate student assistants are passionate about the subjects they are teaching in, as exemplified by the fact that they are seeking higher education in these subjects. I also have a personal connection due to several of my instructors being graduate students, with one really making me love the subject of English, and another really giving me different perspectives on American history.

Even beyond personal feelings, they are workers. Just like musicians, hotel workers, construction workers, and the many fields that are represented by unions, graduate students are workers who should not be denied their human rights. It's more than getting paid, the workers should be able to have a say in their workplace and really have a venue to address and find solutions to issues that are very important to them and their success such as equal pay, sexual harassment, abuse of authority, and discrimination against non binary individuals.

As the backbone of our universities through instructing, administrative work, tutoring, and so much more in the line of work that shapes the futures of so many, I want to conclude with this. When graduate students succeed, Hawaii succeeds. **Please pass SB2585.**

Thank you for your hard work and deliberation on this issue,

Jun Shin, Board Member At-Large Young Progressives Demanding Action – Hawaii 1561 Kanunu St. #2106 Honolulu, HI 96814 Cell: 808-255-6663

Email: junshinbusiness729@gmail.com

<u>SB-2585</u> Submitted on: 2/12/2018 2:07:51 PM

Testimony for HRE on 2/13/2018 2:45:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Melodie Aduja	Testifying on behalf of OCC Legislative Priorities Committee	Support	No

Comments:

SB-2585

Submitted on: 2/11/2018 12:30:07 PM

Testimony for HRE on 2/13/2018 2:45:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Janet Graham	350.org	Support	No

Comments:

Thank you for the opportunity to provide testimony. I write in strong support of SB2585. SB2585, if passed, will create a new bargaining unit, 15, for graduate assistants in Hawaii. I am a PhD student and graduate assistant at the University of Hawaii at Manoa. I teach undergraduate students and the university increasingly relies on graduate labor like mine to run. We deserve a collective seat at the table when decisions are made that affect my life, those of my students, and the broader community. Unfortunately, graduate assistants are poorly compensated, with wages that are far below a living wage and far below competitive standards of other universities. Graduate assistant compensation has neither kept up with inflation, the cost of living, or rising productivity. Additionally, graduate assistants are vulnerable to capricious and arbitrary decisions and attacks from management, including sexual harassment, without a proper mechanism for pursuing grievances.

In 2016, the National Labor Relations Board reversed the decades-long ban on private university graduate unions at places such as the University of Chicago, Harvard, and Yale, declaring that graduate assistants are workers that deserve the right to unionize. There are currently dozens of graduate unions across the country at public and private institutions, in states such as California, Oregon, Washington, New York, Illinois, Montana, Massachusetts, Iowa, and many more. Graduate assistant unions have existed for 50 years, and all scholarly research has shown that unionized graduate assistants report higher levels of personal/professional support and higher pay that improves educational outcomes, and that faculty report that unionization does not inhibit their ability to advise, instruct, or mentor.

Hawaii led the way in breaking ground in supporting public sector unions. For the cutting-edge research and instruction graduate assistants do, the ability to collectively bargain over compensation, benefits, and working conditions is essential and long overdue.

I feel vulnerable in the classroom due to unfortunate incidents involving fascist, white supremacist, and anti-gay hate speech and weak university responses to such speech. I am also very concerned about Ken Marcus serving as Assistant Secretary for Civil Rights at the U.S. Department of Education because he doesn't support the student political speech on campus. We need affordable legal representation that a union would provide.

For all of these reasons, I urge you to pass SB2585.

Mahalo for reading this,

Janet Graham

SB-2585

Submitted on: 2/9/2018 6:02:46 PM

Testimony for HRE on 2/13/2018 2:45:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Travis Idol		Support	No

Comments:

I support this bill as it gives graduate students the right to have their voices heard and needs fairly represented and supported by the University of Hawaii. Why should they be the only major employee category at the university not represented by a union and collective bargaining?

SB-2585

Submitted on: 2/12/2018 11:22:07 AM

Testimony for HRE on 2/13/2018 2:45:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing	
Diliaur Tellei	Individual	Support	No	Ī

Comments:

I strongly support this measure. As a graduate student, I believe that we need and deserve a bargaining voice that the university has to officially take into account. There are several issues that graduate students face (not just grad workers) that a graduate student union could address with the administration, including but not limited to: inadequate wages, abuses of graduate student workers by supervisors, and housing and food insecurity in the grad student population.

I feel particularly strongly about the wage issue, as I am not being paid a living wage for my work as a graduate assistant. I am, in fact, lucky to have found a housing situation on campus which is priced **far** below the average rent in the area. This past October, I thought I would have to move out, and there was actually nothing I could afford anywhere in the city. (Thankfully, I was able to reapply and was awarded an extension to my housing contract.) By "afford", I mean I could find nothing that didn't cost 50+% of my take home pay. How would I have been able to continue my studies and work at my job without taking another job? How could I afford to eat & pay my other bills in that two week period after which I'd paid rent? And there absolutely are grad assistants in that very position, that I had so fortunately avoided.

We are highly skilled and trained workers who provide indelible value to the university. Even more so, we are *people* and we need to make a living. The stress created when you are scraping by to survive does not translate into the type of world-class research that I know UH prides itself on. And yet making sure its actual researchers are taken care of does not seem to have been a priority for the UH admin. Thus we must fight for ourselves and our rights, and a collective voice will allow us to do that.

SENATOR Kaiali'i Kahele COMMITTEE ON HIGHER EDUCATION

SENATOR Jill N. Tokuda COMMITTEE ON LABOR

Taylor Lewis Graduate Student Organization (University of Hawai'i at Mānoa) 301-219-0244 Tuesday, February 13, 2018

Support for S.B. No. 2585, Relating to Collective Bargaining

I am writing in strong support of SB2585, which would allow graduate students in Hawai'i to create a collective bargaining unit. My work with the Graduate Student Organization at the University of Hawai'i at Mānoa has always been centered on listening to and supporting students. Often those conversations start with the stress that we are facing and end with us running off to some duty, or to recover from a busy day. While we might have not known exactly what graduate school would be like before enrolling, we knew that there would be a lot of work. What most of us did not expect was that the act of surviving would be one of those burdens.

For most of my life, I either did not think about going to graduate school, or saw it as something too intangible to be a reality. That changed after seeing the kind of research students were doing, and realizing that one could get paid and have tuition covered through a graduate assistantship. The former uncomplicated graduate school for me, while the latter made it an actual possibility. I could go back to school without adding to my \$30,000 of debt from my undergraduate experience.

I have been fortunate enough to be supported by my department at UH-Mānoa. But though my department may have good intentions, my salary must be supplemented in so many diverse ways that I cannot give a clear number on how many jobs I maintain. I have been fortunate enough to work in a supportive environment, but it seems not a day has gone by without hearing about another student's mistreatment.

Allowing graduate student assistants the possibility of unionization is not just so that we can get paid more—though the cost of living in Hawai'i and declining graduate student enrollment at UH-Mānoa suggests that we should. Most of us are used to scrapping to get by. But there is always a sense of shock from students when they tell me about having to fight for the compensation they were promised, or to not be punished for not working because of a health emergency, or having to endure an abusive supervisor for the sake of their education. Graduate student assistants are suffering from abuse at this very moment, and every delay in denying them their rights as workers is an affront to their dignity as human beings.

We understand the perspective of those who oppose this bill based on financial costs. But to oppose a measure based on speculation when we have the actual numbers on declining graduate

student enrollment and the disparity between the base salary for graduate student assistants and the cost of living in Hawai'i seems illogical. What's more, documentation of mistreatment can largely only be found on social media or in conversation because students risk their careers by coming forward in a system that has no formal process and guarantees little, if any, protection. As tax-paying and tuition-burdened students, we do not desire either of those costs to go up on us or our peers. But because of those costs, we cannot continue to ignore the fragile situation we are forced into, especially when we can provide concrete evidence of our vulnerability while others only provide speculation.

Collective bargaining for graduate student assistants is beneficial not just for us. We advertise and advocate for this university whenever we talk to our families and friends—some of whom are considering enrolling here. Through empowering its students, the university empowers itself. Because of my love for what this university has given me, I urge the committee to pass SB2585. Thank you for accepting my testimony.

SB-2585

Submitted on: 2/12/2018 1:41:26 PM

Testimony for HRE on 2/13/2018 2:45:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing	
Jonathan Osorio	Individual	Support	No	

Comments:

Aloha

My name is Jonathan K. Osorio. I am a Professor of Hawaiian Studies at the University of Hawaii Mĕ noa and currently the Interim Dean of the Hawaiinuiĕ kea School of Hawaiian Knowledge and I am writing in strong support for SB 2585 allowing graduate assistants at the University of Hawaii to collectively bargain and to create a bargaining unit for that purpose.

This legislation is long overdue and is supported by the Hawai'i Government Employees Association, The University of Hawai'i Professional Assembly and Academic Labor United. It is unreasonable for academic workers whose duties and responsibilities are not all that different from part time instructors, laborers, researchers and administrative staff to not have the right to advocate for themselves collectively and it is one important reason that graduate assistant salaries have not kept pace with other employees raises.

In 1987 as a graduate teaching assistant I was paid just under \$13,000 a year. This very month there is an advertisement for a teaching assistant in Pacific Island Studies that offers \$17, 502 per year. And salary is only one small part of the inequities facing a graduate assistant. There is little guidance as to what constitutes a half-time work load for a GA and the work load varies wildly from department to department. There is even less protection for a GA and that is probably the biggest reason that there are so few complaints.

In fact, one of the few controls there are on the work expectations for graduate assistants works against their interest. GAs are required to disclose other employment and remuneration and can be denied employment as a lecturer in another department or campus if Graduate Studies deems that their assistantship and additional employment compromises their course work.

I am thrilled that this bill has been introduced and believe it will right a long standing inequity. Please pass SB 2585

Jon Osorio



13 Pepeluali 2018

No ka Pila Kenekoa 2585

Aloha e nā Kenekoa Luna Hoʻ omalu Kahele, Luna Hoʻ omalu Tokuda, Hope Luna Kim, lākouʻ o Hope Luna English

Aloha my name is Eōmailani Kukahiko and I am a faculty member at the University of Hawai' i at Mānoa in the College of Education and I am in strong support of union rights for the graduate assistants for the University of Hawai' i.

In alignment with UHPA's support of this action I too agree that graduate students are essential to instruction, research, and mentoring undergraduate instruction. In addition, like other unionized efforts it allows this stakeholder group to have a collective, recognized voice that advocates for ownership over work and working conditions, pay gap issues.

In addition to these aforementioned benefits the establishment of this collective bargaining unit for full time graduate student assistants, this is particularly important for graduate assistants of Hawaiian and other diverse backgrounds that are additionally tasked with many other kinds of non-traditional responsibilities as the pursue graduate studies. Mahalo.

Ke aloha 'āina,

Eōmailani Kukahiko, Ph.D.

Esman fan k. Kakelisk

Senate Committee on Higher Education Senate Committee on Labor Conference Room 229

Chair: Sen. Kaiali'i Kahele Chair: Sen. Jill N. Tokuda

Vice Chair: Sen. Donna Mercado Kim Vice Chair: Sen. J. Kalani English

Tuesday, February 13, 2018 at 2:45 pm

Thank you for the opportunity to provide testimony. I write in strong support of SB2585. SB2585, if passed, will create a new bargaining unit, 15, for graduate assistants in Hawaii. As a former member of the Carpenter's Union, Local 745 and as a the daughter of a union worker, I have a deep understanding and appreciation of the importance of unions in working people's lives.

Unionization is far more important than money. Unions provide workers with a sense of dignity and pride because they become protected from exploitation. There would be no need for unionization if there existed true equity in the workplace. But such is not the case. Unions provide the opportunity for some parity and allows a space for graduate students to feel acknowledged for their labor.

Please support graduate students by supporting SB2585.

Mahalo for your time and consideration

- Joy Enomoto

Senate Committee on Higher Education Senate Committee on Labor Conference Room 229

Chair: Sen. Kaiali'i Kahele Chair: Sen. Jill N. Tokuda

Vice Chair: Sen. Donna Mercado Kim Vice Chair: Sen. J. Kalani English Tuesday, February 13, 2018 at 2:45 pm

Thank you for the opportunity to provide testimony. I write in strong support of SB2585. SB2585, if passed, will create a new bargaining unit, 15, for graduate assistants in Hawaii.

As a new graduate student in the Art Department since Fall 2017, my research has been focused on the history of the Filipino-American community in Hawai'i, particularly the legacy of the sugarcane laborers or sakadas. In studying the history of labor in Hawai'i, it is clear that the Filipinos, often in solidarity with other ethnic groups, were instrumental in securing improved working conditions for dismally paying jobs, on-the-job racism and mistreatment, extreme schedules, and poor living conditions. As a 3rd generation Filipina-American graduate student, I have already experienced sexual harassment on campus, struggle paying my rent and bills, and am overloaded by my work schedule and highly demanding coursework. My support for SB2585 is not only to raise the wages of graduate students and help protect us from workplace harassment, but also to continue the legacy of the labor struggle for the next generation. We walk in the footsteps of our predecessors whose struggle paved the way for our labor rights and right to education. By fighting for our right to collectively bargain, we demand that our labor as **teachers and researchers** be recognized as essential to the continued success of the University of Hawai'i and every single student that passes through its doors.

At some point every undergraduate student is taught by a graduate teaching assistant; graduate research assistants advance scientific frontiers; and graduate administrative assistants run key facilities on campus. The university increasingly relies on graduate labor to run. Graduate assistants deserve a seat at the table when decisions are made that affect their lives, those of their students, and the broader community. Unfortunately, graduate assistants are poorly compensated, with wages that are far below a living wage and far below competitive standards of other universities. Graduate assistant compensation has neither kept up with inflation, the cost of living, or rising productivity. Additionally, graduate assistants are vulnerable to capricious and arbitrary decisions and attacks from management, including sexual harassment, without a proper mechanism for pursuing grievances.

In 2016, the National Labor Relations Board reversed the decades-long ban on private university graduate unions at places such as the University of Chicago, Harvard, and Yale, declaring that graduate assistants are workers that deserve the right to unionize. There are currently dozens of graduate unions across the country at public and private institutions, in states such as California, Oregon, Washington, New York, Illinois, Montana, Massachusetts, Iowa, and many more. Graduate assistant unions have existed for 50 years, and all scholarly research has shown that unionized graduate assistants report higher levels of personal/professional support and higher

pay that improves educational outcomes, and that faculty report that unionization does not inhibit their ability to advise, instruct, or mentor.

Hawaii led the way in breaking ground in supporting public sector unions. For the cutting-edge research and instruction graduate assistants do, the ability to collectively bargain over compensation, benefits, and working conditions is essential and long overdue. I urge you to pass SB2585.

Mahalo,

Rebecca Maria Goldschmidt

Senate Committee on Higher Education Senate Committee on Labor Conference Room 229 Tuesday, February 13, 2018 at 2:45 pm

Dear Chairs Kahele and Tokuda, Vice Chairs Kim and English, and members of the Committees:

Thank you for the opportunity to provide testimony in support of SB2585.

This bill would allow graduate student assistants at the University of Hawaii to collectively bargain. Graduate student worker unions have existed for almost 50 years at public universities. They are already unionized at close to 30 public institutions of higher education, including universities in California, Washington, Oregon, Florida, Illinois, Iowa, Massachusetts, Michigan, Oregon and Pennsylvania.

A survey of faculty at public universities that have graduate student unions found that over 90 percent responded that the unions do not inhibit their ability to advise or instruct or freely exchange ideas with their graduate students.

Research has found that paying student workers adequate wages can improve their educational outcomes, too, because they are less likely to take additional jobs and there for have more time and ability to focus on their studies.

The long track record of graduate student unions on public university campuses, combined with academic findings about them, should put to rest any concerns about the potential effects of graduate assistant unionization.

Mahalo for your consideration of this testimony.

Nicole Woo

From: Julie Zill

academiclaborunited@gmail.com; HRE Testimony
In Support of SB2585 To:

Subject: Date:

Monday, February 12, 2018 9:37:12 AM

Testimony in support	of SR2585
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Testimony Message	Senate Committee on Higher Education Senate Committee on Labor Conference Room 229
	Chair: Sen. Kaiali'i Kahele Chair: Sen. Jill N. Tokuda Vice Chair: Sen. Donna Mercado Kim Vice Chair: Sen. J. Kalani English Tuesday, February 13, 2018 at 2:45 pm Thank you for the opportunity to provide testimony. I write in strong support of SB2585. SB2585, if passed, will create a new
	bargaining unit, 15, for graduate assistants in Hawaii. At some point every undergraduate student is taught by a graduate teaching assistant; graduate research assistants advance scientific frontiers; and graduate administrative assistants run key facilities on campus. The university increasingly relies on graduate labor to run. Graduate assistants deserve a seat at the table when decisions are made that affect their lives, those of their students, and the broader community.
	Unfortunately, graduate assistants are poorly compensated, with wages that are far below a living wage and far below competitive standards of other universities. Graduate assistant compensation has neither kept up with inflation, the cost of living, or rising productivity. Additionally, graduate assistants are vulnerable to capricious and arbitrary

decisions and attacks from management, including sexual harassment, without a proper mechanism for pursuing grievances.

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Hawaii led the way in breaking ground in supporting public sector unions. For the cutting-edge research and instruction graduate assistants do, the ability to collectively bargain over compensation, benefits, and working conditions is essential and long overdue. I urge you to pass SB2585.

Attending Hearing?

No

You can edit this submission and view all your submissions easily.

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				youth of US and Hawaii who study at UH Manoa.
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Name	Email	Position	Attending Hearing	Comments
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