STAND. COM. REP. NO.

240

Honolulu, Hawaii

FEB 09 ' 2023

RE: H.B. No. 874

H.D. 1

Honorable Scott K. Saiki Speaker, House of Representatives Thirty-Second State Legislature Regular Session of 2023 State of Hawaii

Sir:

Your Committee on Labor & Government Operations, to which was referred H.B. No. 874 entitled:

"A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING,"

begs leave to report as follows:

The purpose of this measure is to establish a collective bargaining unit for graduate assistants employed by the University of Hawaii and community college system.

Your Committee received testimony in support of this measure from Academic Labor United; the Democratic Party of Hawaii Labor Caucus; Democratic Party of Hawaii Education Caucus; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; United Public Workers, AFSCME Local 646, AFL-CIO; University of Hawaii Professional Assembly; Hawaiii Workers Center; and numerous individuals. Your Committee received testimony in opposition to this measure from the Office of Collective Bargaining of the Executive Office of the Governor. Your Committee received comments on this measure from the Department of Budget and Finance and Department of the Attorney General.

Your Committee finds that graduate student assistants are vital to the university community, performing instruction, research, and administrative work. Your Committee further notes the pending Hawaii Supreme Court case regarding this issue is

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ongoing and that this issue has been brought before the Legislature on numerous occasions, with similar versions receiving a Governor's veto. This measure allows graduate assistants to participate in collective bargaining to provide greater employment incentives, stability, and promote higher education.

Your Committee has amended this measure by:

- (1) Clarifying that this measure is a matter of statewide concern pursuant to article VIII, section 6 of the Hawaii State Constitution;
- (2) Changing the effective date to June 30, 3000, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Labor & Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 874, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 874, H.D. 1, and be referred to your Committee on Higher Education & Technology.

Respectfully submitted on behalf of the members of the Committee on Labor & Government Operations,

SCOT Z. MATATOSHI, Chair

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Record of Votes of the Committee on Labor & Government Operations

Bill/Resolution No.: HB 874 Committee Referral: LGO, HET, FIN Date: 2/7/23				
☐ The committee is reconsidering its previous decision on the measure.				
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit)				
LGO Members	Ayes	Ayes (WR)	Nays	Excused
1. MATAYOSHI, Scot Z. (C)	√			
2. GARRETT, Andrew Takuya (VC)	\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \		Annual in the State of the Control o	
3. KAPELA, Jeanne	V			
4. MARTINEZ, Rose	V			7.4
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5. SAYAMA, Jackson D.	V			
6. TAM, Adrian K.	V			
		A		
7. ALCOS III, David		3		
TOTAL (7)	7	}		
The recommendation is: Adopted If joint referral, committee acronym(s) Not Adopted did not support recommendation.				
Vice Chair's or designee's signature:				
Distribution: Original (White) - Committee Duplicate (Yellow) - Chief Clerk's Office Duplicate (Pink) - HMSO				