JAN 19 2024

A BILL FOR AN ACT

RELATING TO COLLECTIVE BARGAINING.

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

1	SECTION 1. Section 89-9, Hawaii Revised Statutes, is
2	amended by amending subsection (f) to read as follows:
3	"(f) The repricing of classes within an appropriate
4	bargaining unit [may] shall be negotiated and determined as
5	follows:
6	(1) [At the request of] Within thirty days of receipt of a
7	written request from the exclusive representative to
8	negotiate and at times allowed under the collective
9	bargaining agreement, the employer shall negotiate the
10	repricing of classes within the bargaining unit. The
11	negotiated repricing actions that constitute cost
12	items shall be subject to the requirements in section
13	89-10; and
14	(2) [If repricing has not been negotiated under paragraph
15	(1), the employer of each jurisdiction shall ensure
16	establishment of procedures to periodically review, at
17	least once in five years, unless otherwise agreed to

1	by the parties, the repricing of classes within the
2	bargaining unit. The repricing of classes based on
3	the results of the periodic review shall be at the
4	discretion of the employer. Any appropriations
5	required to implement the repricing actions that are
6	made at the employer's discretion shall not be
7	construed as cost items.] If the employer fails to
8	timely initiate a negotiation in compliance with
9	paragraph (1) or the parties cannot reach an agreement
10	within ninety days after the exclusive
11	representative's written request to negotiate or by
12	January 31 of a year in which the agreement is due to
13	expire, whichever is earlier, an impasse exists and
14	the impasse procedures in section 89-11 shall apply;
15	provided that the parties may mutually agree on repricing
16	procedures in conformance with this section; provided further
17	that a repricing request can only be submitted once per
18	occupation in any eighteen-month period."
19	SECTION 2. Section 89-11, Hawaii Revised Statutes, is
20	amended by amending subsection (b) to read as follows:

1	"(b) An impasse during the term of a collective bargaining
2	agreement on reopened items or items regarding a supplemental
3	agreement shall not be subject to the impasse procedures in this
4	section[-]; provided that an employer's failure to timely
5	initiate a negotiation on repricing of classes within a
6	bargaining unit pursuant to section 89-9(f)(1) or the parties'
7	failure to reach an agreement on repricing within the timeframe
8	set forth in section 89-9(f)(2) shall constitute an impasse, to
9	which the impasse procedures in this section shall apply. The
10	parties may mutually agree on an impasse procedure, but if the
11	procedure culminates in an arbitration decision, the decision
12	shall be pursuant to subsection (f)."
13	SECTION 3. Statutory material to be repealed is bracketed
14	and stricken. New statutory material is underscored.
15	SECTION 4. This Act shall take effect on July 1, 2024.
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2024-0733 SB HMSO

S.B. NO. 2459

Report Title:

Collective Bargaining in Public Employment; Repricing of Classes; Negotiations; Impasse Procedures

Description:

Requires the employer to initiate negotiations on repricing of classes within a bargaining unit within thirty days of its receipt of the exclusive representative's written request to negotiate. Establishes that the employer's failure to initiate the negotiation within such time frame and the parties' failure to reach an agreement within ninety days of the exclusive representative's written request to negotiate or by January 31 of a year in which the collective bargaining agreement is due to expire, whichever is earlier, constitute an impasse to which the impasse procedures in section 89-11, Hawaii Revised Statutes, shall apply.

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