
A BILL FOR AN ACT

RELATING TO COLLECTIVE BARGAINING.

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

1 SECTION 1. Section 89-10.8, Hawaii Revised Statutes, is
2 amended by amending its title and subsection (a) to read as
3 follows:

4 "~~{}~~**§89-10.8**~~{}~~ **Resolution of disputes; grievances.** (a)

5 A public employer shall enter into written agreement with the
6 exclusive representative setting forth a grievance procedure
7 culminating in a final and binding decision, to be invoked in
8 the event of any dispute concerning the interpretation or
9 application of a written agreement. The grievance procedure
10 shall be valid and enforceable and shall be consistent with the
11 following:

12 (1) A dispute over the terms of an initial or renewed
13 agreement shall not constitute a grievance;

14 (2) ~~[No employee in a position exempted from chapter 76,~~
15 ~~who serves at the pleasure of the appointing~~
16 ~~authority, shall be allowed to grieve a suspension or~~
17 ~~discharge unless the collective bargaining agreement~~



1 ~~specifically provides otherwise,]~~ Any employee who is
2 a member of an appropriate bargaining unit shall be
3 allowed to grieve a suspension or discharge; and

4 (3) With respect to any adverse action resulting from an
5 employee's failure to meet performance requirements of
6 the employee's position, the grievance procedure shall
7 provide that the final and binding decision shall be
8 made by a performance judge as provided in this
9 section."

10 SECTION 2. Statutory material to be repealed is bracketed
11 and stricken. New statutory material is underscored.

12 SECTION 3. This Act shall take effect July 1, 2050.



Report Title:

Collective Bargaining; Grievance; Suspension; Discharge; Exempt Employees

Description:

Repeals the prohibition placed on certain employees exempt from Civil Service Law from grieving a suspension or discharge. Allows any employee who is a member of an appropriate bargaining unit to grieve a suspension or discharge. Effective 7/1/2050. (SD1)

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