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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 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 and their  
3 excluded counterparts, shall be allowed to grieve a  
4 suspension or discharge; and

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

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 Statutory material to be repealed is bracketed  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

13 SECTION 3. This Act shall take effect on July 1, 3000.



**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 and their excluded counterparts to grieve a suspension or discharge. Effective 7/1/3000. (HD1)

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

