
A BILL FOR AN ACT

RELATING TO FALSE IMPERSONATION OF UNION REPRESENTATIVES.

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

1 SECTION 1. Chapter 89, Hawaii Revised Statutes, is amended
2 by adding a new section to be appropriately designated and to
3 read as follows:

4 "§89- Employee organization representative; false
5 impersonation; prohibited; cause of action; penalties. (a) No
6 person shall falsely impersonate an employee organization
7 representative.

8 (b) An employee organization alleging a violation of this
9 section may bring a civil action in a court of competent
10 jurisdiction for injunctive relief; payment of damages, which
11 may include punitive damages; or other appropriate relief.

12 (c) For the purposes of this section:

13 "Employee organization representative" means:

14 (1) An employee, staff member, or any agent of an employee
15 organization;



1 (2) A member of an employee organization who serves in an
2 elected or appointed position within the employee
3 organization; or

4 (3) A public employee who is designated by the exclusive
5 representative as a representative for the employees
6 in an appropriate bargaining unit.

7 "Falsely impersonate an employee organization
8 representative" means to use fraud, misrepresentation, material
9 omission with the specific intent to deceive, or deceit in
10 making a verbal or written communication that purports to be
11 authorized or otherwise approved by an employee organization but
12 has not been authorized or approved by the employee
13 organization."

14 SECTION 2. New statutory material is underscored.

15 SECTION 3. This Act shall take effect upon its approval.

16



Report Title:

Public Employees; Employee Organization Representative; False Impersonation; Prohibition; Cause of Action; Penalties

Description:

Prohibits a person from falsely impersonating an employee organization representative. Establishes a cause of action and penalties for violations. (SD2)

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