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# 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; civil remedies. (a)

6 No 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:

11 (1) Injunctive relief;

12 (2) Payment of damages, which may include punitive  
13 damages; or

14 (3) Other appropriate relief.

15 (c) For the purposes of this section:

16 "Employee organization representative" means:



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

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

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

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

16       SECTION 2. New statutory material is underscored.

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



**Report Title:**

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

**Description:**

Prohibits a person from falsely impersonating an employee organization representative. Establishes a cause of action and civil remedies. 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.*

