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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; 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) In addition to any other damages that may be claimed,  
13 a plaintiff shall receive liquidated damages in an amount of  
14 \$                 per incident in any action in which the plaintiff  
15 establishes that the defendant falsely impersonated an employee  
16 organization representative.

17           (d) For the purposes of this section:



- 1        "Employee organization representative" means:
- 2        (1) An employee, staff member, or any agent of an employee
- 3                organization;
- 4        (2) A member of an employee organization who serves in an
- 5                elected or appointed position within the employee
- 6                organization; or
- 7        (3) A public employee who is designated by the exclusive
- 8                representative as a representative for the employees
- 9                in an appropriate bargaining unit.

10        "Falsely impersonate an employee organization

11 representative" means to use fraud, misrepresentation, material

12 omission with the specific intent to deceive, or deceit in

13 making a verbal or written communication that purports to be

14 authorized or otherwise approved by an employee organization but

15 has not been authorized or approved by the employee

16 organization."

17        SECTION 2. New statutory material is underscored.

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

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**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. (SD1)

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

