

ACT 212

H. B. NO. 124

A Bill for an Act Relating to Public Officers and Employees.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Amend Section 76-101 of the Hawaii Revised Statutes, as amended, by adding the following subsection (10) after subsection (9):

“(10) Elected officers of duly recognized employee organizations and employee representatives or shop stewards designated by an employee organization shall have a reasonable amount of time off during working hours to carry out the duties of their office, as determined by the employer, without loss of pay or benefits.”

SECTION 2. Amend Section 89-8 of the Hawaii Revised Statutes to read as follows:

“Sec. 89-8 Recognition and representation; employee participation. (a) The employee organization which has been certified by the board as representing the majority of employees in an appropriate bargaining unit shall be the exclusive representative of all employees in the unit. As exclusive representative, it shall have the right to act for and negotiate agreements covering all employees in the unit and shall be responsible for representing the interests of all such employees without discrimination and without regard to employee organization membership.

(b) An individual employee may present a grievance at any time to his employer and have the grievance heard without intervention of an employee organization; provided that the exclusive representative is afforded the opportunity to be present at such conferences and that any adjustment made shall not be inconsistent with the terms of an agreement then in effect between the employer and the exclusive representative.

(c) Employee participation in the collective bargaining process conducted by the exclusive representative of the appropriate bargaining unit shall be permitted during regular working hours without loss of regular salary or wages. The number of participants from each bargaining unit with over 2,500 members shall be limited to one member for each five hundred members of the bargaining unit. For bargaining units with less than 2,500 members, there shall be at least five participants, one of whom shall reside in each county;

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provided that there need not be a participant residing in each county for the bargaining unit established by Section 89-6(a) (8). The bargaining unit shall select the participants from representative departments, divisions or sections to minimize interference with the normal operations and service of the departments, division or sections.”

SECTION 3. Statutory material to be repealed is bracketed. New material is underscored. In printing this Act, the revisor of statutes need not include the brackets, the bracketed material, or the underscoring.*

SECTION 4. This Act shall take effect upon its approval.

(Became law June 22, 1971 without Governor's signature pursuant to State Constitution, Art. III, §17.)

*Edited accordingly.