
A BILL FOR AN ACT

RELATING TO LABOR.

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

1 SECTION 1. Chapter 377, Hawaii Revised Statutes, is
2 amended by adding two new sections to be appropriately
3 designated and to read as follows:

4 "§377- Streamlining union certification. Whenever a
5 petition shall have been filed by an employee or group of
6 employees or any individual or labor organization acting on
7 their behalf alleging that a majority of employees in a unit
8 appropriate for the purposes of collective bargaining wish to be
9 represented by an individual or labor organization for those
10 purposes, the board shall investigate the petition. If the
11 board finds that a majority of the employees in a unit
12 appropriate for bargaining have signed valid authorizations
13 designating the individual or labor organization specified in
14 the petition as their bargaining representative and that no
15 other individual or labor organization is currently certified or
16 recognized as the exclusive representative of any of the
17 employees in the unit, the board shall not direct an election



1 but shall certify the individual or labor organization as the
2 representative.

3 §377- Facilitating initial collective bargaining
4 agreements. (a) Not later than ten days after receiving a
5 written request for collective bargaining from an individual or
6 labor organization that has been newly organized or certified as
7 a representative, the parties shall meet and commence to bargain
8 collectively and shall make every reasonable effort to conclude
9 and sign a collective bargaining agreement.

10 (b) If, after the expiration of the ninety-day period
11 beginning on the date on which bargaining commenced, or such
12 additional period as the parties may agree upon, the parties
13 have failed to reach an agreement, either party may notify the
14 board of the existence of a dispute and request conciliation
15 under section 377-3.

16 (c) If, after the expiration of the thirty-day period
17 beginning on the date on which the request for conciliation is
18 made under subsection (b), or such additional period as the
19 parties may agree upon, the conciliator is not able to bring the
20 parties to agreement by conciliation, the conciliator shall
21 refer the dispute to an arbitration panel established in
22 accordance with rules as may be prescribed by the board. The



1 arbitration panel shall render a decision settling the dispute,
2 and the decision shall be binding upon the parties for a period
3 of two years, unless amended during that period by written
4 consent of the parties."

5 SECTION 2. New statutory material is underscored.

6 SECTION 3. This Act shall take effect on July 1, 2008.



Report Title:

Labor unions; Public and private sectors.

Description:

Certifies entities as exclusive representatives absent an election where no other representatives are certified as the exclusive representatives. Requires immediate collective bargaining between parties once entities are certified as exclusive representatives. Effective 07/01/2008. (HB2974 HD2)

