September 28, 2016

## MEMO TO: PIA-4(2) File

F R O M: Michael P. Victorino, Chair man P Vit-

Policy and Intergovernmental Affairs Committee

## SUBJECT: TRANSMITTAL OF LEGISLATIVE PROPOSAL RELATING TO 2017 MAUI COUNTY LEGISLATIVE PACKAGE (PIA-4(2))

The attached legislative proposal pertains to Item 4(2) on the Committee's agenda.

pia:ltr:004(2)amc12:kcw

Attachment

2016 SEP 28 PM 1: 1

OFFICE OF

# Resolution

No.

APPROVING FOR INCLUSION IN THE 2017 MAUI COUNTY LEGISLATIVE PACKAGE A STATE BILL TO ALLOW A REPRESENTATIVE OF EACH COUNTY COUNCIL TO PARTICIPATE AS A NON-VOTING MEMBER IN RELEVANT BARGAINING UNIT NEGOTIATIONS, TO RECEIVE UPDATES FROM THE ADMINISTRATION ON BARGAINING UNIT NEGOTIATIONS, AND TO CHANGE THE ALLOCATION OF VOTES FOR BARGAINING UNITS 11 AND 12

WHEREAS, employment costs, largely determined through bargaining unit negotiations, are a significant and growing part of county budgets; and

WHEREAS, because the county councils have the duty to appropriate funds for employment costs for the counties, councils' knowledge of bargaining unit negotiations regarding those costs is essential for effective municipal financial planning; and

WHEREAS, currently, the mayors or their representatives are participants in bargaining unit negotiations; and

WHEREAS, adding councilmember participation in bargaining unit negotiations would ensure both branches of county government have full information on current and anticipated employment costs; and

WHEREAS, enactment of State legislation to allow each county council to have a representative participate as a non-voting member in bargaining unit negotiations would result in financial planning benefits to the counties; and

WHEREAS, it is important for the county council to receive updates from the administration on bargaining unit negotiations to properly appropriate funding to the departments for their annual budgets;

WHEREAS, State law provides the Governor with votes equal to the four mayors for bargaining units 11 and 12; and

WHEREAS, because county employees make up a majority of these bargaining units, it is appropriate the mayors receive a majority vote as the counties' administrative heads; now, therefore, BE IT RESOLVED by the Council of the County of Maui:

- 1. That the proposed State bill, attached as Exhibit "A," to allow a representative of each county council to be present as a non-voting participant in negotiations with relevant bargaining units, to receive updates from the administration on bargaining unit negotiations, and to give the mayors a greater share of the votes for bargaining units 11 and 12, is approved for inclusion in the 2017 Maui County Legislative Package; and
- 2. That certified copies of this resolution be transmitted to the Mayor, County of Maui; the Governor, State of Hawaii; the Senate President, State of Hawaii; and the Speaker of the House of Representatives, State of Hawaii.

pia:misc:004(2)areso11:kcw

# \_\_.B. NO.\_\_\_ A BILL FOR AN ACT

RELATING TO COLLECTIVE BARGAINING.

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

SECTION 1. The purpose of this Act is to allow a 1 representative of each county council to be present as a non-2 voting participant in negotiations with bargaining units if the 3 relevant county has employees in the particular bargaining unit. 4 County councils have the duty to appropriate funds for 5 their counties. Councils' knowledge of bargaining unit 6 negotiations and associated costs is essential to enable 7 8 effective financial planning for the counties. SECTION 2. Section 89-6, Hawaii Revised Statutes, is 9 amended by amending subsection (d) to read as follows: 10 For the purpose of negotiating a collective "(d) 11 bargaining agreement, the public employer of an appropriate 12 bargaining unit shall mean the governor together with the 13 14 following employers: For bargaining units (1), (2), (3), (4), (9), (10), 15 (1)(13), and (14), the governor shall have six votes and 16 the mayors, the chief justice, and the Hawaii health 17



systems corporation board shall each have one vote if

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1		they have employees in the particular bargaining unit;
2		and one representative from each county council shall
3		be allowed to attend as a non-voting participant
4		during negotiations if their county has employees in
5		the particular bargaining unit;
6	(2)	For bargaining units (11) and (12), the governor shall
7		have [ <del>four votes</del> ] <u>one vote</u> and the mayors shall each
8		have one vote; and one representative from each county
9		council shall be allowed to attend as a non-voting
10		participant during negotiations if their county has
11		employees in the particular bargaining unit;
12	(3)	For bargaining units (5) and (6), the governor shall
13		have three votes, the board of education shall have
14		two votes, and the superintendent of education shall
15		have one vote; and
16	. (4)	For bargaining units (7) and (8), the governor shall
17		have three votes, the board of regents of the
18		University of Hawaii shall have two votes, and the
19		president of the University of Hawaii shall have one
20		vote.
21	(5)	The mayor or the mayor's representative shall provide
22		timely updates relating to bargaining unit

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negotiations to the county councils in an executive

2	meeting.		
3	Any decision to be reached by the applicable employer group		
4	shall be on the basis of simple majority, except when a		
5	bargaining unit includes county employees from more than one		
6	county. In that case, the simple majority shall include at		
7	least one county."		
8	SECTION 3. Statutory material to be deleted is bracketed		
9	and in strikethrough. New statutory material is underscored.		
10	SECTION 4. This Act shall take effect upon its approval.		

INTRODUCED BY:\_\_\_\_\_

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