



UNIVERSITY OF HAWAII SYSTEM

Legislative Testimony

Testimony Presented Before the Senate
Committee on Ways and Means

April 5, 2006

By

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H.B. 266 HD1, SD1, RELATING TO LABOR

Chair Taniguchi, Vice Chair Tsutsui, and Members of the Committee:

The University of Hawaii does not support House Bill 266 HD1, SD1, the purpose of which is to amend Section 89-9(d), Hawai'i Revised Statutes, by deleting language which currently prohibits collective bargaining of the rights and obligations of the public employer. House Bill 266 HD1, SD1 threatens the public employer's ability to fulfill its obligation to the general public to provide vital public services effectively and efficiently. Section 89-9(d) makes it possible for the public employer to meet this responsibility by insuring that its management rights are not subjected to union negotiations. Among these rights are the right to direct employees; the right to determine qualifications, standards for work, and the nature and contents of examinations; the right to maintain efficiency and productivity, including maximizing the use of advanced technology, in government operations; and the right to determine methods, means, and personnel by which the employer's operations are to be conducted. Subjecting these management rights to the consultation process with the exclusive representatives will lead to government inefficiency and ineffectiveness as the public employer will be forced to give up more and more control over its workforce to avoid strikes or as a result of adverse arbitration decisions.

Thank you for the opportunity to provide testimony in opposition to this bill.