



UNIVERSITY OF HAWAII SYSTEM

Legislative Testimony

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House Committee on Higher Education
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By
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HB 1146 RELATING TO COLLECTIVE BARGAINING

Chair Choy, Vice Chair Ichiyama, and Members of House Committee on Higher Education, I am submitting written testimony on behalf of the University of Hawai'i regarding House Bill 1146 – Relating to Collective Bargaining which proposes to amend HRS, §89-6, to not exclude from collective bargaining “...students of a state institution that are not employed by the State” and “...graduate students employed by the University of Hawai'i”.

The University of Hawai'i has reservations regarding the impact of the proposed legislation if enacted.

The University's graduate assistants are unlike any other employees. They are students first, and employees second. The graduate assistantship is, first and foremost, part of a financial aid package. Graduate Assistants are at the university to learn as much about their fields of study as their time and talents will allow. These graduate assistants are mentored and supervised by our rank 3, 4, and 5 faculty members who all hold Ph.D.'s and have many years of proven professional competence and experience, including evidence of proficiency in teaching. Part of our efforts as university mentors is to teach graduate assistants the subject matter. An equal or large part of our efforts is devoted to turning them out as academic professionals with real job skills in research techniques, teaching expertise, database management, etc. They learn these essential skill sets while in their graduate assistant positions under the guidance and supervision of our current faculty employees. A graduate assistant is similar to an on-the-job training or apprenticeship program. It is not a career or a profession, but the beginning stages most faculty must complete to pursue a career in higher education.

As graduate assistants, their duties and work assignments differ significantly from that of faculty employees. Our Faculty members in ranks 3, 4, and 5 who mentor graduate assistants are required to teach classes and/or develop research programs with no supervision or oversight. There are at times consultation and interaction with other faculty members depending on the department's teaching needs or research focus, but

there is not supervision *per se*. A graduate assistant does not step into a classroom, laboratory, or field exercise without supervision of some kind. Senior Teaching Assistants may be capable of teaching a lecture section with little or no supervision because they have been mentored and trained to take on that type of assignment. Similarly, senior Research Assistants will undertake more complex roles without strict supervision or even have the capacity to develop new techniques as they grow into their roles. Our goal is to train and mentor these graduate assistants to get them to that point where they can function as professionals and begin their careers.

From a collective bargaining perspective, it does not appear that the proposed amended group-- students "not employed by the state"--would fall within any of the existing categories under HRS, §89-6(a). Therefore, either the current categories will need to be expanded or additional bargaining units created. The issue of expanding the number and type of collective bargaining units has been a long standing issue by various employee groups and will likely lead to extensive debate and discussions with representatives of the existing bargaining units and advocates of other various employee groups. Included among the issues that would need to be addressed are the definition of the employer and the dispute resolution or impasse procedure (i.e., right to strike or subject to interest arbitration).

If collective bargaining were extended to students not employed by a State institution, among the mandatory subject of negotiations would be wages, hours, conditions of employment and fringe benefits. Wage and fringe benefits would have cost implications to both the State and the individual employer. In addition to the stipends that graduate student workers earn, the University also provides them full tuition waivers which may range from \$483.00 to \$763.00 per credit hour for residents; tuition waivers for non-resident tuition can range from \$1,173.00 to \$1,453.00 per credit hour. A full-time graduate student resident tuition ranges from \$5,796.00 to \$9,156.00 per semester while non-resident tuition ranges from \$14,076.00 to \$17,436 per semester (Academic Year 2012-13). Such benefits will become negotiable subjects and may or may not be included in the negotiated compensation package.

Moreover, in the current fiscal climate, all UH employees have had their salaries reduced to deal with the funding shortfalls; some, but not all of those salaries have been restored. Not only have we been able to protect graduate students serving as teaching or research assistants from these reductions, but, beginning Fall 2013, the minimum stipend has been raised from Step 1 to Step 8, or \$17,496 for a 9-month appointment and \$20,466 for an 11-month appointment. Under this proposal their stipends would be negotiable. Similarly, all students are eligible to enroll in student health insurance plans; under this proposal, medical coverage would be negotiable.

Thank you for the opportunity to testify on this bill.