



UNIVERSITY OF HAWAI'I SYSTEM

TESTIMONY

S.B. 290 SD1, RELATING TO COLLECTIVE BARGAINING

Testimony Presented Before the
Senate Committee on Ways and Means

March 3, 2005

By

Sam Callejo
Vice President for Administration, University of Hawai'i, System

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Chair Taniguchi and Members of the Committee:

The University of Hawaii does not support Senate Bill 290 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. Senate Bill 290 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 permit negotiations 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.