



STATE OF HAWAII
DEPARTMENT OF EDUCATION
P.O. BOX 2360
HONOLULU, HAWAII 96804

OFFICE OF THE SUPERINTENDENT

August 15, 2017

TO: The Honorable Brian De Lima
Chairperson, Human Resources Committee

FROM: Dr. Christina M. Kishimoto
Superintendent

A blue ink signature of Dr. Christina M. Kishimoto, consisting of stylized initials and a surname.

SUBJECT: **Presentation on Collective Bargaining Agreements and Negotiated Changes, Effective July 1, 2017**

1. DESCRIPTION

The majority of the Department of Education's ("Department's") employees are represented by public employee unions: the Hawaii State Teachers Association, Hawaii Government Employees Association and United Public Workers. New terms and conditions of employment for the Department's employees are in effect as of July 1, 2017.

2. PRESENTATION

The Office of Human Resources will provide an overview of the collective bargaining structure, the bargaining units of which the Department's employees are members, and the new terms and conditions of employment effective July 1, 2017 that were either negotiated or determined via interest arbitration.

KTH:BAK:je
Attachment

c: Office of Human Resources

Presentation on Collective Bargaining Agreements and Negotiated Changes, Effective July 1, 2017

A Presentation to the Board of Education
Human Resources Committee

August 15, 2017

HAWAII STATE DEPARTMENT OF EDUCATION
HawaiiPublicSchools.org



1

DEPARTMENT OF EDUCATION COLLECTIVE BARGAINING OVERVIEW



HAWAII STATE DEPARTMENT OF EDUCATION
HawaiiPublicSchools.org

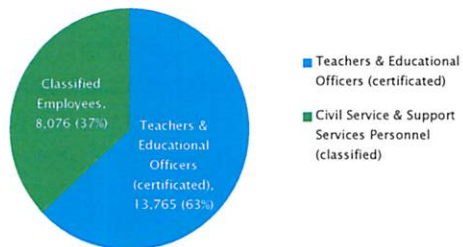


2

WORKFORCE OVERVIEW

21,841 Employees

As of June 30, 2016



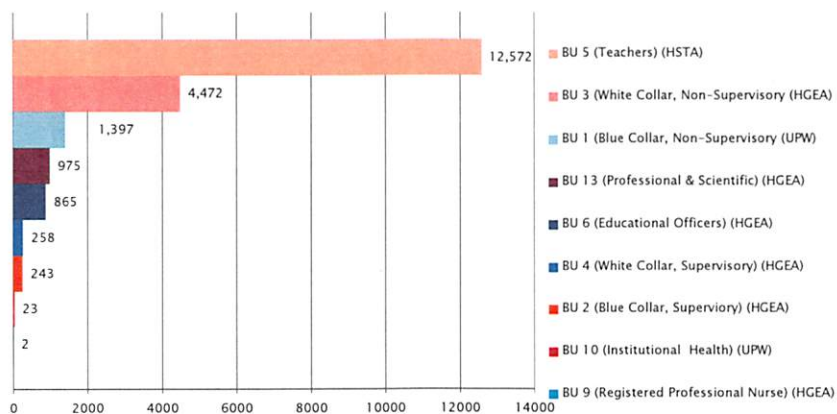
- Teachers & Educational Officers (certificated)
- Civil Service & Support Services Personnel (classified)

HAWAII STATE DEPARTMENT OF EDUCATION
HawaiiPublicSchools.org



3

Employees Per Bargaining Unit



HAWAII STATE DEPARTMENT OF EDUCATION
HawaiiPublicSchools.org



4

Unions & Members

- United Public Workers (UPW)
- Hawaii Government Employees Association (HGEA)
- Hawaii State Teachers Association (HSTA)

<u>Bargaining Unit</u>	<u>Union</u>	<u>Type of Employees</u>
1	UPW	Blue Collar, Non-Supervisory (e.g., school custodians, cafeteria workers)
2	HGEA	Blue Collar, Supervisory (e.g., school food services managers)
3	HGEA	White Collar, Non-Supervisory (e.g., office assistants, educational assistants)
4	HGEA	White Collar, Supervisory (e.g., school administrative services assistants)
5	HSTA	Teachers (e.g., classroom & non classroom teachers, counselors, librarians, registrars)
6	HGEA	Educational Officers (e.g., principals, vice-principals, State/District Educational Officers)
9	HGEA	Registered Professional Nurses
10	UPW	Institutional, Health and Correctional Workers (e.g., school based physical therapy assistants, house parents)
13	HGEA	Professional & Scientific (e.g., speech pathologists, engineers)

HAWAII STATE DEPARTMENT OF EDUCATION
HawaiiPublicSchools.org



5

PUBLIC POLICY REGARDING COLLECTIVE BARGAINING

Hawaii Revised Statutes Chapter 89-1 provides in part:

- "[J]oint decision-making is the modern way of administering government" and when public employees "share in the decision-making process affecting wages and working conditions, they have become more responsive and better able to exchange ideas and information on operations with their administrators."
- "[P]ositive legislation establishing guidelines for public employment relations is the best way to harness and direct the energies of public employees eager to have a voice in determining their conditions of work; to provide a rational method for dealing with disputes and work stoppages; and to maintain a favorable political and social environment."
- "[I]t is the public policy of the State to promote harmonious and cooperative relations between government and its employees and to protect the public by assuring effective and orderly operations of government."
- Public employees have the right to organize for collective bargaining, and public employers must negotiate with exclusive representatives on matters of "wages, hours, and other conditions of employment."

HAWAII STATE DEPARTMENT OF EDUCATION
HawaiiPublicSchools.org



6

STATUTORY REQUIREMENTS

HRS 89-9 Scope of negotiations; consultation

- ▶ The employer and the union shall negotiate in good faith with respect to wages, hours, contributions to EUTF and other terms & conditions.
- ▶ All matters affecting employee relations shall be subject to consultation with the unions. The employer shall make every reasonable effort to consult with the union and consider their input, along with input from other affected parties prior to implementation.
- ▶ Certain matters are excluded from negotiations.

HAWAII STATE DEPARTMENT OF EDUCATION
HawaiiPublicSchools.org



7

COLLECTIVE BARGAINING VOTES

- ▶ HSTA BU 5 (teachers) and HGEA BU 6 (educational officers)

Governor	=	3 votes
Board of Education	=	2 votes
Superintendent	=	1 vote
- ▶ HGEA & UPW classified employees (BUs 1, 2, 3, 4, 9, 10, 13)

Governor	=	6 votes
Mayors, Chief Justice, & Hawaii Health Systems Corporation Board	=	1 vote each *
Board of Education	=	No vote
Superintendent	=	No vote

* Need at least one county Mayor vote.

HAWAII STATE DEPARTMENT OF EDUCATION
HawaiiPublicSchools.org



8

Right to Strike Bargaining Units Interest Arbitration Bargaining Units

Strike Units:

UPW BU 1 – Blue Collar, Non-Supervisory (e.g., school custodians, cafeteria workers)
HSTA BU 5 – Teachers

Interest Arbitration Units:

HGEA BUs, 2, 3, 4, 6, 9, 13
and – classified employees and certificated educational officers
UPW BU 10

HAWAII STATE DEPARTMENT OF EDUCATION
HawaiiPublicSchools.org



9

NEGOTIATED COLLECTIVE BARGAINING AGREEMENTS

HSTA BU 5 – TEACHERS

HIGHLIGHTS OF THE AGREEMENT:

- 4 year duration – 7/1/17 through 6/30/21
- Compensation:

7/1/17	1 st day of 2 nd quarter SY 17-18	7/1/18	1 st day of 2 nd quarter SY 18-19	7/1/19	1 st day of 2 nd quarter SY 19-20	7/1/20	1 st day of 2 nd quarter SY 20-21
21 hours Prof. Dev.	Step Movement	21 hours Prof. Dev.	3.5% across the board	no 21 hours unless negotiated	Step Movement	no 21 hours unless negotiated	3.5% across the board

- Increased employer contribution to EUTF (health benefits).
Further increases possible for years 3 and 4 if negotiated.

HAWAII STATE DEPARTMENT OF EDUCATION
HawaiiPublicSchools.org



10

HIGHLIGHTS OF HSTA BU 5 AGREEMENT CONTINUED,

- ▶ Renewed and updated the Educator Effectiveness System (EES).
- ▶ Provide teacher collaboration time through 21 hours.
- ▶ Tenured teachers who receive "marginal" performance ratings in two consecutive years will be deemed to have performed unsatisfactorily and will be subject to termination.
- ▶ In order to gain tenure, probationary teachers must receive consecutive "effective" or better annual performance ratings in their *last two years* of probation.
- ▶ National Board Certification Teachers licensed in Hawaii need only serve 2 semesters of probation with an effective or better annual performance rating to gain tenure.
- ▶ Off-cycle probationary teachers in their 5th semester of probation during the spring transfer and assignment period will have their positions posted, the same as those in their 6th semester.
- ▶ Established an English Language Learner (ELL) Committee to address various issues and concerns.

HAWAII STATE DEPARTMENT OF EDUCATION
HawaiiPublicSchools.org



11

HGEA BU 6 – EDUCATIONAL OFFICERS

HIGHLIGHTS OF THE AGREEMENT:

- 4 year duration – 7/1/17 through 6/30/21
- Compensation:

7/1/17	1/1/18	7/1/18	1/1/19	7/1/19	1/1/20	7/1/20	1/1/21
1.8% across the board	Step Movement	2.05% across the board	Step Movement	1.8% across the board	Step Movement	1.8% across the board	Step Movement

- Increased employer contribution to EUTF.
Further increases possible for years 3 and 4 if negotiated.

HAWAII STATE DEPARTMENT OF EDUCATION
HawaiiPublicSchools.org



12

UPW BU 10* – Institutional, Health and Correctional Workers

HIGHLIGHTS OF THE AGREEMENT:

- 4 year duration – 7/1/17 through 6/30/21
- Compensation:

BU	10/1/17	7/1/18	4/1/19	7/1/19	7/1/20
10	2.0% across the board	Eligible employees move to next step; if at max step, 4% lump sum payment	1.35% across the board	2.0% across the board	2.0% across the board

- Creation of Developmental Career Plan (DCP)
- Negotiated increase to employer contribution to EUTF.
- Further increases in compensation equivalent to step movement possible for years 3 and 4 if negotiated agreement reached.

*UPW BU1 – Blue Collar, Non-Supervisory = Pending ratification

13

ARBITRATION AWARDS

HGEA BUs 2, 3, 4, 9, 13 – CLASSIFIED EMPLOYEES

HIGHLIGHTS OF THE AWARDS:

- 2 year duration – 7/1/17 through 6/30/19
- Compensation:

BU	7/1/17	1/1/18	7/1/18	1/1/19
2	2.0% across the board	1.2% across the board	2.25% across the board	1.2% across the board
3	2.0% across the board	1.5% across the board	2.25% across the board	1.25 across the board Step A move to Step B Drop Step A
4	2.0% across the board	1.5% across the board	2.25% across the board	1.25 across the board Step A move to Step B Drop Step A
9	2.0% across the board		2.25% across the board	1.2% across the board
13	2.0% across the board		2.25% across the board	

- Continuation of step movement plan for units 2, 9, and 13.
- Negotiated increase to employer contribution to EUTF.

HAWAII STATE DEPARTMENT OF EDUCATION
HawaiiPublicSchools.org



14

Barbara A. Krieg
Assistant Superintendent
Office of Human Resources
barbara_krieg@notes.k12.hi.us

HAWAII STATE DEPARTMENT OF EDUCATION
HawaiiPublicSchools.org



15