

■ HAWAII EMPLOYMENT RELATIONS ACT

TERMS:

Worker Rights — Employees in Hawaii (including agricultural workers) who work for an employer with 2 or more employees have a right to self-organize, to form, join or assist labor organizations, and to bargain as a group with their employer through representatives of their own choosing concerning the terms and conditions of employment. While they may be required to join a union under the terms of a labor contract, such workers also have a right not to involve themselves in any or all of these activities.

Representation Elections — Whenever there is a question regarding representation of employees on a particular farm or at a particular workplace, the state agency administering the Act must arrange for and supervise a secret-ballot election and certify the results. The ballot must normally include the names of all potential representatives submitted by any worker or group of workers participating in the election, but the ballot must allow any worker wishing to do so to vote against representation by any party named on the ballot. Representatives chosen by a majority of the employees are the exclusive representatives of all the workers in the unit for purposes of negotiating with the employer, but any worker or any minority group of workers has the right to present grievances to the employer in person or through representatives of their own choosing.

Prohibited Acts — Among other prohibited acts, it is illegal for employers to interfere with their workers in the exercise of the rights mentioned above, or to encourage or discourage union membership by discriminating with respect to hiring or other terms or conditions of employment. It is also unlawful for employers to refuse to bargain in good faith with the representative of a majority of their workers, or to violate the terms of a union contract.

Agricultural Strikes — Where a strike against a producer, harvester or processor of any agricultural product produced in Hawaii could lead to the loss of the crop or product, the workers must give the state agency at least 10 days' notice of their intention to strike. The agency is required to notify the employer immediately of such notice.

ENFORCEMENT: *Hawaii Labor Relations Board, Honolulu, Hawaii 96813 (808-586-8610).*