

STATE OF HAWAII
PUBLIC EMPLOYMENT RELATIONS BOARD

In the Matter of)
) Case No. SF-07-9
HAWAII FEDERATION OF)
COLLEGE TEACHERS,) Decision No. 31
)
Petitioner.)
_____)

DECISION AND ORDER

I. STATEMENT OF THE QUESTION

By petition filed December 21, 1972, The Hawaii Federation of College Teachers (hereinafter HFCT) requested the Hawaii Public Employment Relations Board (hereinafter Board) to certify the reasonableness of the proposed service fee of eight dollars and fifty cents (\$8.50) per month for employees in Unit 7, (Faculty of the University of Hawaii and the community college system) pursuant to Section 89-4(a), Hawaii Revised Statutes.

The question before the Board is whether the proposed service fee is reasonable.

II. BOARD INVESTIGATION

Along with its petition to the Board, Petitioner included its proposed budget for 1973 including anticipated expenditures and an explanatory text for each expense category. Board members individually examined the data in the budget document and then scheduled an informal and a pre-hearing conference with petitioner before the formal hearing.

A formal hearing was scheduled and conducted at the Board's hearing room, 550 Halekauwila Street, Honolulu,

Hawaii at 1:05 p.m. on Wednesday, February 21, 1973, the Board sitting en banc.

Ronaele Wettington, instructor at the University of Hawaii, appeared for herself, and read a statement from Mrs. Jacquie Maly, in opposition to the petition.

Helen Verdeyen, assistant professor at the University of Hawaii, appeared for herself, and read a statement from Norma Puevner, in opposition to the petition.

No other persons appeared in opposition to the petition.

III. FINDINGS OF FACT

1. Petitioner, Hawaii Federation of College Teachers (hereinafter HFCT), is an employee organization as defined in Chapter 89, Hawaii Revised Statutes.

2. The HFCT was certified as exclusive bargaining representative for Unit 7 (Faculty of the University of Hawaii and the community college system) on November 30, 1972.

3. HFCT is affiliated with with American Federation of Teachers, AFL-CIO (hereinafter AFT).

4. The proposed budget of HFCT anticipates an expenditure of \$255,750.00 during 1973.

5. HFCT estimates 2,500 members in the bargaining unit will be paying service fees.

6. The HFCT budget anticipates a per capita payment to AFT amounting to \$70,828.00 during 1973.

7. AFT provides direct and indirect services to HFCT which it values at a cost of \$80,753.00 per year during 1973.

8. AFT and HFCT publications will be mailed to all employees in the bargaining unit.

9. AFT services are equally available to all members of the bargaining unit.

10. HFCT includes non-members on its bargaining committee.

11. HFCT will pay \$1,440 in per capita fees to the AFL-CIO during 1973. They will receive lobbying service for this fee.

12. AFL-CIO charges are based on actual membership in the union and are 20 cents per month per member.

13. HFCT services will be equally available to all members of the bargaining unit.

14. No substantial information relative to the reasonableness of the proposed service fee was presented by those in opposition to the service fee amount proposed by HFCT.

15. The HFCT proposed budget and service fee have been approved by the employee organization's proper constitutional authorities.

IV. CONCLUSIONS OF LAW

The Board finds that all items of expenditure in Petitioner's proposed budget for 1973 are attributable to collective bargaining or contract administration activities, or both, and reasonable in accordance with Chapter 89, Hawaii Revised Statutes.

The Board finds further that a service fee of \$8.50 per month from the date of certification, November

30, 1972, is reasonable and will be required to meet the costs of collective bargaining and contract administration.

V. ORDER

The Petitioner, and, to the extent appropriate the AFT, shall maintain a cost accounting system which clearly distinguishes between services applied to the bargaining unit and services supplied to members of HFCT-AFT only. For any cost category for benefits which are not specifically identifiable as being for Unit 7 personnel only or HFCT members only, the Petitioner and, to the extent applicable, the AFT, shall develop an appropriate and reasonable basis for allocating such costs between Unit 7 and HFCT members. Further, the Petitioner shall supply the Board annually with six copies of the financial reports required to be supplied to its members pursuant to Section 89-15, Hawaii Revised Statutes.

In accordance with the policy adopted by the Board, this certification of service fee shall be \$8.50 per month for the period commencing from the date of certification (November 30, 1972), and continuing until altered or terminated by the Board. Hereafter, the Board may, upon application of any affected employee, or of the Petitioner, or in the Board's discretion, initiate a review of the service fee. Any such review will be based upon a history of actual costs and expenditures incurred by the Petitioner during said interim period.

The Board suggests that the appropriate Public Employers and Petitioner negotiate a mutual agreement on

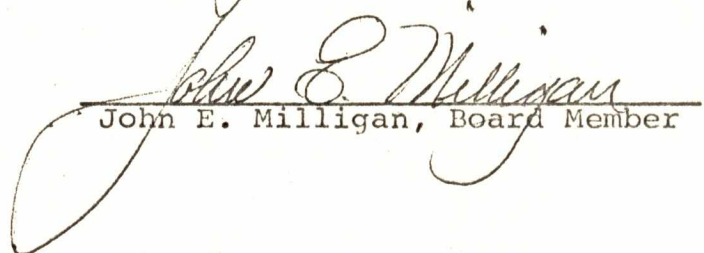
methods and procedures which are to be followed in deducting said service fees. Failing such agreement, the parties may petition the Board concerning the mechanics of said service fee deductions.

The appropriate Public Employers are hereby directed to commence such deductions at the earliest possible date and to continue such deductions until such time as this Board orders otherwise.

PUBLIC EMPLOYMENT RELATIONS BOARD


Mack H. Hamada, Chairman


Carl J. Guntert, Board Member


John E. Milligan, Board Member

DATED: March 19, 1973
Honolulu, Hawaii