



March 12, 2020

David Lassner, President  
University of Hawaii  
Office of the President  
2444 Dole Street, Bachman Hall 202  
Honolulu, HI 96822

RE: DEMAND FOR BARGAINING OVER FORTHCOMING COVID-19 CHANGES

Dear President Lassner:

The University of Hawaii Professional Assembly (UHPA) has been notified of your email sent via [announce@hawaii.edu](mailto:announce@hawaii.edu) on the subject "Message from the UH President about forthcoming COVID-19 changes", on March 12, 2020 at 4:12:27 AM HST.

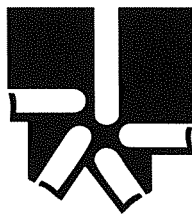
The immediate identifiable change that is noted in the message is that the University of Hawaii (UH) will be unilaterally "moving our classes online after spring break." As you are already aware, the UH and the UHPA have an existing contract in effect that recognizes UHPA as the certified exclusive representative of Unit 7 Faculty Members pursuant to Article I, Recognition of the 2017-2021 Unit 7 Agreement, and under the applicable statutory provisions contained under Chapter 89, HRS.

On-line instruction is a mandatory subject of bargaining under HRS, §89-9(a), as well as contractually recognized under Article XI, Intellectual Property, Patents and Copyrights of the 2017-2021 Unit 7 Agreement. We also believe that the unilateral decision to move to on-line instruction will also result in other unintended impacts on mandatory subjects of bargaining that will affect the wages, hours, and terms and conditions of employment of the Unit 7 Faculty Members we represent.

Based on the above, the UHPA demands that the UH immediately commence bargaining with the UHPA over this matter pursuant to HRS, §89-9(b) and immediately cease and desist from any further unilateral actions, decisions, and orders that affect mandatory subjects of bargaining until negotiations commence and an agreement is reached.

UNIVERSITY OF HAWAII  
PROFESSIONAL ASSEMBLY

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While the UHPA recognizes the reasoning behind this move, it does not negate or alleviate UH's contractual and statutory obligations to UHPA. We emphasize that in these times the preamble of Chapter 89, HRS, modernizing the way of administering government by engaging in shared decision-making affecting wages and working conditions, will allow the government to be more responsive and be better able to exchange ideas and information that will help the UH in understanding and strategically implementing the necessary changes that lies ahead.

We are available to meet and convene discussions at a moment's notice and are standing by to hear your response. Please feel free to contact me at 593-2157 or via email at [fern@uhpa.org](mailto:fern@uhpa.org) if you have any questions.

Thank you for your immediate attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Fern', with a long horizontal line extending to the right.

Christian Fern  
UHPA Executive Director