

TO ALL FACULTY

Andrew Carnegie thought a “home of honest poverty” was the very best of schools for moral instruction and used that prime directive to keep his work force in check. He wasn’t incorrect. Unilaterally mandating and suppressing employees’ wages/ benefits is a marvelously efficient way to control every element of an enterprise while at the same time distracting attention from the larger picture. By forcing his workers to deal with the wolf-at-the-door and eventually to go to war with his goons, Carnegie was free to pursue his own philosophical ambitions while giving those of the lower order something to do, something they were capable of understanding—no enlightened monarch could do any less for his benighted subjects.

With its recent edict to implement its “First and Only Last Best Final Offer” in January of 2010, the current UH-Administration has reached back in time and embraced wholesale that “honest home,” convincing itself along the way that its artificial authority trumps the Hawaii State Constitution. Never before in the state’s history has any administration openly declared that it alone has the power to mandate terms of employment to one of the thirteen public sector bargaining units established by Chapter 89 of that founding state document. To be charitable, it may be that our present administrative team has lost its collective mind. Consider the following text that opens this section of the Constitution, Section 89-1 “Statement of Findings and Policy”:

The legislature finds that joint decision-making is the modern way of administering government. Where public employees have been granted the right to share in the decision-making process and affecting wages and working conditions, they have become more responsive and better able to exchange ideas and information on operations with their administrators. Accordingly, government is made more effective. [Italics added]

The words of the foregoing passage are as clear as they can be made to be. They say what they mean and mean what they say. Collaborative negotiation—not arbitrary fiat—constitutes the basis of collective bargaining according to the law of the land. Double talk notwithstanding, the UH-Administration cannot do whatever it decides to do just because, and UHPA has no intention of doing what it is told to do in order to satisfy the unilateral demands of a delusional self-appointed despot.

Chapter 89 details the specifics of how collective bargaining will be conducted with the public unions. After opening with its fundamental rationale for the establishment of public unions, that rather lengthy chapter of the Constitution outlines who will be part of which union and the procedures to be used in their operations. The legislators who put together all this did not create “suggestions” for a monarch. As a matter of fact, the very existence of the Constitution denies the authority of any pre-modern Carnegie Wanna-Be, self-appointed or otherwise.

I’m staying with the union—and the principles of Constitutional law.

In Solidarity,

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