



UNIVERSITY OF HAWAII
PROFESSIONAL ASSEMBLY

NEWS RELEASE

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FOR IMMEDIATE RELEASE

University of Hawai'i Professional Assembly Sues Gov. David Ige For Mandating Furloughs

Honolulu, Hawaii — The University of Hawai'i Professional Assembly (UHPA), the union that represents about 3,500 faculty members across all 10 campuses of the University of Hawai'i system, is taking legal action to block the governor's plan to implement furloughs and a 9.23% reduction in pay.

The lawsuit, filed in federal court today against Gov. David Ige, State Comptroller Curt Otaguro, and University of Hawai'i President David Lassner, seeks a declaratory and prospective injunctive relief from the furloughs going into effect Jan. 1, 2021, as mandated by the governor.

"Over the past several months, we have repeatedly pointed out that furloughs are unconstitutional and a violation of our existing contract, which remains in force until June 30, 2021," said Christian Fern, UHPA's executive director. "Since we have not had the benefit of a discussion to explore alternative solutions to the state's budget deficit with the governor and his administration, we are resorting to legal action to challenge the governor's legal right to override our contract terms, including his justification to use emergency proclamations to issue his edict on furloughs."

UHPA has a successful track record of prevailing in similar situations violating employment contracts. In 1998, UHPA sued Gov. Ben Cayetano when the State enacted a law to change pay dates that were protected by an existing UHPA contract. The federal courts, both locally and on appeal at the Ninth Circuit in San Francisco, agreed with UHPA. This prevented the law from being implemented and did not affect UH faculty for the duration of the contract.

"We are keenly aware of the congressional relief package earmarked for higher education and we hope this will avoid the need for furloughs during the remainder of the contract," Fern said. "However, the governor has not shared how he plans to allocate these stimulus funds. Rather than wait and hope he will do the right thing, we feel compelled to take decisive action in the midst of the uncertainty created by the governor by filing this complaint."

The complaint, posted on UHPA's website, can be accessed by clicking [here](#).

About the University of Hawai'i Professional Assembly

The University of Hawai'i Professional Assembly (UHPA) has been the exclusive bargaining agent for all UH faculty since 1974 and currently represents about 3,500 faculty members at 10 campuses in the University of Hawai'i system statewide.