

BIA-HAWAII

BUILDING INDUSTRY ASSOCIATION

March 11, 2008

LATE TESTIMONY
House Committee on Labor & Public Employment
9:00 A.M.
Conference Room 309

TESTIMONY IN STRONG SUPPORT OF SB 3087, SD1 “RELATING TO CONTRACTOR SUSPENSION ON PUBLIC WORKS PROJECTS”

Chair Sonson and Members of the House Committee on Labor & Public Employment::

I am Karen Nakamura, Chief Executive Officer of the Building Industry Association of Hawaii (BIA-Hawaii). Chartered in 1955, the Building Industry Association of Hawaii is a professional trade organization affiliated with the National Association of Home Builders, representing the building industry and its associates. BIA-Hawaii takes a leadership role in unifying and promoting the interests of the industry to enhance the quality of life for the people of Hawaii.

BIA-Hawaii strongly supports SB 3087, SD1 “Relating to Contractor Suspension on Public Works Projects”

The provisions of SB 3087 address the issue of prevailing wages that must be paid on all public works projects. SB 3087 was drafted by the Department of Labor & Industrial Relations (DLIR) after months of discussions between the DLIR, the unions of the Building Trades Council (including the Laborers, the Plumbers, the Operating Engineers, and the Ironworkers Unions) and construction contractor organizations. SB 3087, SD1 is the result of the consensus among all of the organizations (known as the Ad Hoc Committee) and will assist the DLIR with overcoming the delays in their investigations because of falsification of records or interference in turning over records to them. We request that this bill be passed.

During the interim, the Ad Hoc Committee met to discuss the issues and concerns revolving around HB 853, a bill that would have treated inadvertent errors in classification, payment, and record keeping by a contractor in the same manner as willful violation of the law. The Ad Hoc Committee determined that the so-called “three-strikes” bill (HB 853) **would have done nothing** to help the DLIR to resolve the delays in investigation of Chapter 104 violations. The Ad Hoc Committee agreed that we should help the DLIR with their backlog of cases and to also give the DLIR even more reasons to go after the bad contractors with the language that is in SB 3087, SD1.

Thank you for the opportunity to share our views with you.

Karen I. Nakamura

**The Pacific Resource
PARTNERSHIP**



Testimony of C. Mike Kido
External Affairs
The Pacific Resource Partnership

Committee on Labor & Public Employment
Representative Alex Sonson, Chair
Representative Bob Nakasone, Vice Chair

LATE TESTIMONY

SB3087 SD1
Tuesday, March 11, 2008
9:00 am
Conference Room 309

Chair Sonson and members of the Committee on Labor & Public Employment:

My name is C. Mike Kido, External Affairs of the Pacific Resource Partnership (PRP), a labor management organization representing the Hawaii Carpenters Union and more than 220 signatory contractors.

The Pacific Resource Partnership strongly support the passage of SB3087 SD1 - Relating to Contractor Suspension on Public Works Projects as a pro-active legislative measure to provide protection for Hawaii's working men and women, as well as provide the Department of Labor and Industrial Relations (DLIR) clearer powers to actively pursue contractors that are knowingly trying to evade the law by withholding wage and hour information that is being requested.

As you may recall in the 2007 legislative session, a heated debate surrounded HB853. This legislation before you is an earnest attempt to foster better communication and a working relationship between State government and the private sector construction industry representatives.

PRP respectfully ask for your favorable consideration in passing the bill as to further foster the cooperative endeavor that was undertaken during the 2007 interim months.

Thank you very much for your attention in helping Hawaii's construction industry by addressing a nagging problem in Hawaii.