

LINDA LINGLE  
GOVERNOR OF HAWAII



MARIE C. LADERTA  
DIRECTOR  
CINDY S. INOUE  
DEPUTY DIRECTOR

**STATE OF HAWAII**  
**DEPARTMENT OF HUMAN RESOURCES DEVELOPMENT**  
235 S. BERETANIA STREET  
HONOLULU, HAWAII 96813-2437

January 29, 2009

TESTIMONY TO THE  
HOUSE COMMITTEE ON LABOR AND PUBLIC EMPLOYMENT  
For Hearing on Friday, January 30, 2009  
8:30 a.m., Conference Room 309

BY

MARIE C. LADERTA, DIRECTOR

**House Bill No. 628**  
**Relating to Intergovernmental Movements**

TO CHAIRPERSON KARL RHOADS AND MEMBERS OF THE COMMITTEE:

The purpose of House Bill 628 is to allow for the exchange or movement of civil service employees between the State, counties and the Federal government provided that certain conditions are met.

The Department of Human Resources Development supports the intent of this measure.

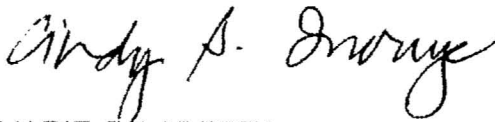
We respectfully provide you with the following technical comments on this measure:

1. Temporary exchanges of civil service employees between government jurisdictions, including the Federal government, are currently authorized under section 78-27, HRS.

2. The provisions of this bill were formerly covered under Section 78-36, HRS, which was repealed in Act 253, SLH 2000.
3. Although Section 76-36 was repealed, we have continued to allow movements of civil service employees between different state jurisdictions or the state and counties. Therefore, we request that these conditions be added to the bill:
  - a. The person is selected through an open-competitive civil service recruitment process;
  - b. The person is in a permanent civil service position and is a permanent civil service member of the losing jurisdiction.
  - c. The person meets the minimum qualification requirements and other requirements of the class and position.
  - d. The affected jurisdictions must approve all movements through their department heads and directors.
  - e. The person serves an initial probation period.

Thank you for the opportunity to provide comments on House Bill 628.

Respectfully submitted,

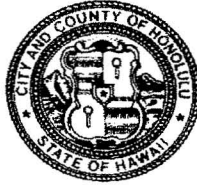
  
for MARIE C. LADERA

ESD

DEPARTMENT OF HUMAN RESOURCES  
**CITY AND COUNTY OF HONOLULU**

850 SOUTH KING STREET 10<sup>TH</sup> FLOOR • HONOLULU, HAWAII 96813  
TELEPHONE: (808) 768-8500 • FAX: (808) 768-5563 • INTERNET: www.honolulu.gov/hr

MUFI HANNEMANN  
MAYOR



KENNETH Y. NAKAMATSU  
DIRECTOR

January 30, 2009

The Honorable Karl Rhoads, Chair  
and Members of the Committee on  
Labor & Public Employment  
State House of Representatives  
State Capitol  
Honolulu, Hawaii 96813

Dear Chair Rhoads:

**Subject: House Bill No. 628  
Relating to Intergovernmental Movements**

The Department of Human Resources has **comments** on House Bill No. 628, which restores language in the law that was repealed under the Civil Service Reform law (Act 253, SLH 2000).

We do not believe the bill is necessary because the City has been able to continue to allow for these movements and exchanges under our rules which were adopted in accordance with existing civil service law.

If this bill is advanced, we suggest that references to intergovernmental movements involving federal employees be deleted as they are under an entirely different civil service system.

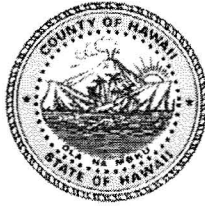
Thank you for the opportunity to testify.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Ken Y. Nakamatsu".

Ken Y. Nakamatsu, Director  
Department of Human Resources

Harry Kim  
Mayor



Michael R. Ben, SPHR  
Director of Human Resources

Ronald K. Takahashi  
Deputy Director of Human Resources

## County of Hawai'i Department of Human Resources

Aupuni Center \* 101 Pauahi Street, Suite 2 \* Hilo, Hawai'i 96720 \* (808) 961-8361 \* Fax (808) 961-8617  
TTY (808) 961-8619 \* e-mail: [cohdc@co.hawaii.hi.us](mailto:cohdc@co.hawaii.hi.us) \* Jobs Information: Job Hotline (808) 961-8618 e-mail: [jobs@co.hawaii.hi](mailto:jobs@co.hawaii.hi)

January 30, 2009

The Honorable Karl Rhoads, Chair  
And Members of the Committee on Labor & Public Employment  
House of Representatives  
State Capitol  
Honolulu, HI 96813

Dear Chair Rhoads and Members of the Committee:

### **Re: HB 628 Relating to Intergovernmental Movements**

I am Michael R. Ben, Director of Human Resources for the County of Hawai'i.

HB 628 proposes to reintroduce into law a provision which was repealed under Act 253, SLH 2000, better known as Civil Service Reform.

Because of Act 253, SLH 2000, Hawai'i County was able to inform all Kona Hospital employees designated to be laid off in the first half of 2008, that we would permit them to seek intergovernmental movement to our County. We only had two conditions:

1. they meet the minimum qualifications for the job they were interested in, and
2. the job had to be at the same or lower pay level than that held at Kona Hospital.

However, no Kona hospital employee subject to layoff was able to take advantage of our offer.

HB 628, as written, prevents us from now making this type of decision on intergovernmental movement because it specifically provides that "(2) All exchanges and movements shall be to the same or closely related class of positions." Thus, to provide us flexibility on our hiring of State or other County civil service employees through the intergovernmental process, we ask that clause (2) be deleted. Employees wishing to move must still meet the minimum qualifications of the class to which movement is sought (clause (3)).

*Hawai'i County is an Equal Opportunity Provider and Employer.*

The Honorable Karl Rhoads, Chair  
And Members of the Committee on Labor & Public Employment  
January 30, 2009  
Page 2 of 2

While I understand the proposed language is similar, if not identical to the original section of law providing for these exchanges and movements, I ask too that the provision be amended to clearly limit movements to State and county civil service employees. As written, the provision allows movement among State, county, and Federal civil service employees.

As Federal civil service employees are not governed by our state civil service laws under which the State and counties civil service operate, I see no compelling reason to permit Federal civil service employees movement into the civil service system governed by state civil service law in the same matter afforded our State and counties civil service employees.

I ask for your favorable action as I have explained.

Thank you.

Sincerely,

A handwritten signature in black ink that reads "Michael R. Ben". The signature is written in a cursive, flowing style.

Michael R. Ben, SPHR  
Director of Human Resources



## HAWAII GOVERNMENT EMPLOYEES ASSOCIATION

AFSCME Local 152, AFL-CIO

**RANDY PERREIRA**  
*Executive Director*  
Tel: 808.543.0011  
Fax: 808.528.0922

**NORA A. NOMURA**  
*Deputy Executive Director*  
Tel: 808.543.0003  
Fax: 808.528.0922

**DEREK M. MIZUNO**  
*Deputy Executive Director*  
Tel: 808.543.0055  
Fax: 808.523.6879

The Twenty-Fifth Legislature, State of Hawaii  
Hawaii State House of Representatives  
Committee on Labor and Public Employment

Testimony by  
Hawaii Government Employees Association  
January 30, 2009

H.B. 628 – RELATING TO  
INTERGOVERNMENTAL  
MOVEMENTS

The Hawaii Government Employees Association supports the purpose and intent of H.B. 628. The objective of H.B. 628 is to reinstate Section 76-36, HRS, which was inadvertently repealed under Act 253, SLH 2000. It is our understanding that the employers are supportive of this addition to Chapter 76, HRS. While the intent of Act 253, SLH 2000, was to reform the civil service system, it was not supposed to reduce the rights, benefits and privileges enjoyed by civil servants. In this particular case, reinstating Section 76-36, HRS, is the most effective and expeditious means of restoring these rights and benefits.

Thank you for the opportunity to testify in support of this measure.

Respectfully submitted,

Nora A. Nomura  
Deputy Executive Director