



LATE

HAWAII BUILDING AND CONSTRUCTION TRADES COUNCIL, AFL-CIO

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April 2, 2009

Honorable Senator Brian T. Taniguchi, Chair
Honorable Senator Dwight Y. Takamine, Vice Chair
Members of the Senate Committee on Judiciary and Government
Operations
Hawaii State Capital
415 South Beretania Street
Honolulu, HI 96813

RE: **IN SUPPORT OF HB 643, HD2, SD1**
Relating to Contractors.
Decision Making: Thursday, April 2, 2009, 10:15 a.m., Room 016

Dear Chair Taniguchi, Vice Chair Takamine and the Senate Committee on Judiciary and Government Operations:

For the record my name is Buzz Hong the Executive Director for the Hawaii Building & Construction Trades Council, AFL-CIO. Our Council is comprised of 16-construction unions and a membership of 26,000 statewide.

The Council SUPPORTS the passage of HB 643, HD2, SD1 that authorizes the contractors license board to suspend, revoke, or refuse to renew a contractor's license for employing a worker on a public work project who is ineligible under federal law to work in the United States.

Thank you for the opportunity to submit this testimony in support of HB 643, HD2, SD1.

Sincerely,

William "Buzz" Hong
Executive Director

NOLAN MORIWAKI
President
Bricklayers & Ceramic Tile Setters
Local 1 & Plasterers/Cement
Masons Local 630

JOSEPH O'DONNELL
Vice President
Iron Workers Local 625

DAMIEN T. K. KIM
Financial Secretary
International Brotherhood of
Electrical Workers Local 1186

ARTHUR TOLENTINO
Treasurer
Sheet Metal Workers I.A. Local 293

MALCOLM K. AHLO
Sergeant-At-Arms
Carpet, Linoleum, & Soft Tile
Local 1296

REGINALD CASTANARES
Trustee
Plumbers & Fitters Local 675

THADDEUS TOMEI
Elevator Constructors Local 128

JOSEPH BAZEMORE
Drywall, Tapers, & Finishers
Local 1944

RICHARD TACGERE
Glaziers, Architectural Metal &
Glassworkers Local Union 1889

TAUGHN CHONG
Roofers, Waterproofers & Allied
Workers United Union of Roofers
Local 221

MARY AYCOCK
Cabinetmakers, Ironship Builders
Local 627

LYNN KINNEY
District Council 50
Painters & Allied Trades
Local 1791

ALANI MAHOE
Detailing Engineers Local 3

EDONARD SEBRESOS
International Assoc. of
Cooling & Frost Insulators
Allied Workers Local 132

Testimony In Support of HB643 HD2, SD1
Relating to Contractors
By
Al Lardizabal, Director of Government Relations
Laborers' International Union of North America Local 368

LATE

To the Senate Committee on Judiciary and Government Operations
Thursday, April 2, 2009, 10:15 a.m.
Room 016, State Capitol

Chair Brian T. Taniguchi; Vice Chair Dwight Y. Takamine and Members of the Committee:

The Laborers' Union supports HB643 HD2, SD1 however, with the inclusion of a recommended effective date of July 1, 2009, authorizing the Contractor's Licensing Board to suspend, revoke, or refuse to renew a contractor's license for employing a worker on a public work project who is ineligible to work in the United States under federal law.

We strongly support the rights of all workers to seek legitimate work, provide food, shelter, clothing, education and security for their families. We are against those employers who willfully and knowingly abuse ineligible workers and who entice desperate, ineligible workers to break the laws with them. We are against employers that willfully deprive eligible Hawaii workers, unemployed locals and immigrants who pay taxes in Hawaii, out of jobs they are qualified to perform especially, in these "perilous economic times."

Act 52, signed into law on May 1, 2007 (formerly HB1750, SD2) requires the State and Counties to hire only workers who are citizens or legally authorized to work in the U.S. Thus, government policy already exists to not hire ineligible workers.

This bill (HB643, HD2, SD1) will establish a similar policy for private contractors by subjecting their license to HRS 444-17 to revocation, suspension or non-renewal for knowingly or intentionally employing a person to perform work under contract subject to chapter 104 who is not eligible to work in the U.S. under federal law. Contractors have a means to ascertain the eligibility of applicants before they are hired by utilizing the E-Verify system of the federal government now in operation. There is no cost. Opponents may categorize this action as an "immigration" function and thus, falls under the purview of the federal government. We disagree. It is a Human Resource function and a special and convenient HR tool as in any pre-employment review situation.

The December 2008 unemployment report indicated that there were some 4,500 unemployed construction workers in Hawaii. The March 2009 UHERO Report projects that there will be about 9,000 unemployed construction workers over the next two years. Today, there exists several thousand carpenters, plumbers, laborers, masons, engineers, painters, iron workers, drywall workers, heavy equipment operators, apprentices, support personnel etc. looking for work in Hawaii.

Thank you for the opportunity to present this testimony in support of this measure with a recommended effective date of July 1, 2009.