

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

March 23, 2009

TESTIMONY TO THE  
SENATE COMMITTEE ON LABOR  
For Hearing on SR 38, March 24, 2009  
2:45 p.m., Conference Room 224

BY

MARIE C. LADERTA, DIRECTOR

**Senate Resolution No. 38**

**Requesting Each Jurisdiction Within the State of Hawaii to Submit Periodic Repricing Reviews, as Required Under Section 89-9, Hawaii Revised Statutes**

TO CHAIRPERSON TAKAMINE AND MEMBERS OF THE COMMITTEE:

This resolution requests that each jurisdiction conduct periodic repricing reviews that are required in accordance with section 89-9(f)(2) and submit the results of such reviews to the Legislature and the exclusive representatives of civil service employees prior to the convening of the 2010 Regular Session.

Section 89-9(f)(2), Hawaii Revised Statutes (HRS), states : "If repricing has not been negotiated ..., the employer of each jurisdiction shall ensure establishment of procedures to periodically review, at least once in five years, ... the repricing of classes within the bargaining unit. The repricing of classes based on the results of the periodic review shall be at the discretion of the employer ..." The provision took effect on July 1, 2002; thus the first five-year period ended on June 30, 2007.

The Department of Human Resources Development (DHRD) completed the first periodic repricing review and submitted the results of the review to Governor Lingle in a memo dated June 15, 2007. The following classes were repriced during the period July 1, 2002 to June 30, 2007:

	<u>Repriced From</u>	<u>To</u>
Youth Corrections Officer (Entry)	CO-3	CO-4
Youth Corrections Officer (Full Performance)	CO-5	CO-6
Youth Corrections Supervisor	CO-7	CO-8
Vocational Rehabilitation Administrator	EM-7	EM-8

Although there is no requirement for reporting in the law, DHRD provides notification of its repricing actions to other personnel jurisdictions of the State and counties to ensure equitable compensation for civil service employees.

Inasmuch as DHRD has complied with Section 89-9(f)(2), HRS, by completing the periodic repricing review, the results of which are indicated above, we do not believe it is necessary to submit a report to the 2010 Legislature or the public sector unions.

Thank you for the opportunity to provide comments on this resolution.



## HAWAII GOVERNMENT EMPLOYEES ASSOCIATION

AFSCME Local 152, AFL-CIO

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The Twenty-Fifth Legislature, State of Hawaii  
Hawaii State Senate  
Committee on Labor

Testimony by  
Hawaii Government Employees Association  
March 24, 2009

S.C.R. 64/S.R. 38 – REQUESTING EACH  
PUBLIC SECTOR JURISDICTION  
WITHIN THE STATE TO SUBMIT  
REPORTS ON PERIODIC REPRICING  
AS REQUIRED UNDER SECTION  
89-9, HAWAII REVISED STATUTES

The Hawaii Government Employees Association strongly supports the purpose and intent of S.C.R. 64 and S.R. 38. Each public sector jurisdiction subject to the collective bargaining law for public employment is required to review the assignment of classes to pay ranges (repricing) at least once every five years under Section 89-9 (f) (2), HRS. This reporting requirement took effect on July 1, 2002, but the required repricing reviews have not been completed.

Under Section 76-1, HRS, the human resources program within each public sector jurisdiction is expected to provide equal pay for equal work between classes within the same bargaining unit and among jurisdictions for those classes deemed to be equal. Therefore, these periodic repricing reviews are essential to ensure fair, competitive, and equitable compensation for civil service employees.

The lack of a review every five years can lead to inequities in the pay between positions within the same bargaining unit, which is a violation of the equal pay for equal work provision set forth in Chapter 76, HRS.

Thank you for the opportunity to testify in support of S.C.R. 64 and S.R. 38.

Respectfully submitted,

Nora A. Nomura  
Deputy Executive Director



*The Judiciary, State of Hawaii*

**Testimony to the Twenty-Fifth Legislature, Regular Session of 2009**

Senate Committee on Labor

The Honorable Dwight Y. Takamine, Chair

The Honorable Brian T. Taniguchi, Vice Chair

Tuesday, March 24, 2009, 2:45 p.m.

State Capitol, Conference Room 224

by

Sharen M. Tokura

Human Resources Director

**WRITTEN TESTIMONY ONLY**

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**Bill No. and Title:** Senate Concurrent Resolution No. 64 / Senate Resolution No. 38, Requesting each Jurisdiction within the State of Hawai‘i to submit periodic repricing reviews, as required under Section 89-9, Hawai‘i Revised Statutes.

**Purpose:** Requesting each jurisdiction within the state of Hawai‘i to submit periodic repricing reviews, as required under Section 89-9, Hawai‘i Revised Statutes

**Judiciary's Position:**

The Judiciary hereby informs the Committee that it has complied with the provisions of Section 89-9, HRS, and respectfully notes that this statute does not require the submission of reports to any entity outside the Judiciary.

Section 89-9(f)(2) Hawaii Revised Statutes, states: “If repricing has not been negotiated..., the employer of each jurisdiction shall ensure establishment of procedures to periodically review, at least once in five years, ...the repricing of classes within the bargaining unit. The repricing of classes based on the results of the periodic review shall be at the discretion of the employer....”

This provision took effect on July 1, 2002, and the first five-year period ended on June 30, 2007. Accordingly, the Judiciary Human Resources Department completed the first periodic repricing review on June 18, 2007. No Judiciary classes were recommended for repricing during



Senate Concurrent Resolution No.64 / Senate Resolution No. 38  
Senate Committee on Labor  
March 24, 2009  
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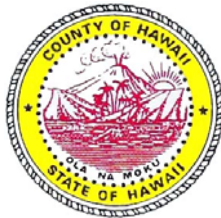
the period July 1, 2002 through June 30, 2007. The next five year period ends June 30, 2012. The review of classes for repricing is a continuous process.

For the Committee's information, the Judiciary has repriced five classes thus far within the second five-year review period. The repriced classes are: Juvenile Detention Worker I, II, III, Juvenile Detention Officer, and Juvenile Detention Supervisor.

Although there is no reporting requirement in the law, the Judiciary provides notification of its repricing actions to other personnel jurisdictions of the state and counties to ensure equitable compensation for civil service employees.

Thank you for this opportunity to provide comments.

William P. Kenoi  
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 \* Jobs Information: Job Hotline (808) 961-8618 e-mail: [jobs@co.hawaii.hi](mailto:jobs@co.hawaii.hi)

March 24, 2009

The Honorable Dwight Y. Takamine, Chair  
And Members of the Senate Committee on Labor  
State Capitol  
Honolulu, Hawai'i 96813

Dear Chair Takamine and Members of the Committee:

**Re: SCR 64 & SR 38 Requesting Each Jurisdiction Within the State of Hawai'i  
to Submit Periodic Repricing Reviews, as Required Under Section 89-9,  
Hawai'i Revised Statutes**

I am Michael R. Ben, the Director of Human Resources of the County of Hawai'i. I am testifying to inform you that the aforementioned referenced resolutions are not necessary.

Contrary to the "Whereas" beginning on line 10 on each resolution, the County of Hawai'i has conducted periodic repricing reviews, as have the other political jurisdictions of the state. Hawai'i County's first five-year review confirmed no repricing action was necessary for any of our classes of work. We reported this to Mayor Harry Kim on June 7, 2007, with a copy to all jurisdictions.

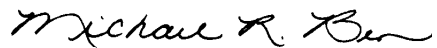
As a small jurisdiction, we are able to continually review of our classes to determine whether repricing actions are necessary. As an example, for the second five-year period, we have already repriced two classes of work, our Lifeguard and Lifeguard I classes.

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

The Honorable Dwight Y. Takamine, Chair  
And Members of the Senate Committee on Labor  
March 24, 2009  
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Inasmuch as the County of Hawai'i has complied with the requirements of Section 89-9(f)(2), HRS, we do not see any purpose in SCR 64 or SR 38, and ask that they be tabled.

Sincerely,

A handwritten signature in cursive script that reads "Michael R. Ben".

Michael R. Ben, SPHR  
Director of Human Resources

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

650 SOUTH KING STREET, 10<sup>th</sup> Floor  
HONOLULU, HAWAII 96813

MUFI HANNEMANN  
MAYOR



KENNETH Y. NAKAMATSU  
DIRECTOR

March 23, 2009

The Honorable Dwight Takamine, Chair  
and Members of the Committee on Labor  
The Senate  
State Capitol  
Honolulu, Hawaii 96813

Dear Chair Takamine and Members of the Committee:

Subject: Senate Resolution No. 38  
Requesting Each Jurisdiction Within the State of Hawaii to Submit  
Periodic Repricing Reviews, as Required Under Section 89-9, Hawaii  
Revised Statutes

I am Ken Nakamatsu, Director of Human Resources, City and County of Honolulu. This resolution requests that each jurisdiction conduct periodic repricing reviews that are required in accordance with section 89-9(f)(2) and submit the results of such reviews to the Legislature and the exclusive representatives of civil service employees prior to the convening of the 2010 Regular Session.

Section 89-9(f)(2), Hawaii Revised Statutes (HRS), states : "If repricing has not been negotiated ..., the employer of each jurisdiction shall ensure establishment of procedures to periodically review, at least once in five years, ... the repricing of classes within the bargaining unit. The repricing of classes based on the results of the periodic review shall be at the discretion of the employer ..." The provision took effect on July 1, 2002; thus the first five-year period ended on June 30, 2007.

The Department of Human Resources completed the first periodic repricing review and submitted the results of the review to Mayor Hannemann in a memo dated July 5, 2007. No white collar or blue collar classes were recommended for repricing.

Although there is no requirement for reporting in the law, the City provides notification of its repricing actions to other personnel jurisdictions of the State and counties to ensure equitable compensation for civil service employees.



Inasmuch as the City has complied with the requirements of Section 89-9(f)(2), HRS, by completing the periodic repricing review, the results of which are indicated above, we do not believe it is necessary to submit a report to the 2010 Legislature or the public sector unions.

Based on the foregoing reasons, the **City strongly opposes SR 38**. We thank you for giving us the opportunity to comment on this matter.

Sincerely,

Handwritten signature of Ken Y. Nakamatsu in cursive script.

KEN Y. NAKAMATSU  
Director of Human Resources

**TESTIMONY OF THE  
COUNTY OF KAUA'I  
DEPARTMENT OF PERSONNEL SERVICES**

TO THE SENATE COMMITTEE ON LABOR

TWENTY-FIFTH LEGISLATURE  
REGULAR SESSION OF 2009

March 24, 2009  
2:45 p.m.

TESTIMONY ON **SCR 64 and SR 38**, REQUESTING EACH JURISDICTION WITHIN THE STATE OF HAWAII TO SUBMIT PERIODIC REPRICING REVIEWS, AS REQUIRED UNDER SECTION 89-9, HAWAII REVISED STATUTES.

TO THE DWIGHT Y. TAKAMINE, CHAIR, AND MEMBERS OF THE COMMITTEE:

My name is Malcolm C. Fernandez, Director, Department of Personnel Services, County of Kaua'i (County), testifying on SCR 64 and SR 38.

The measures request repricing reviews, and submission of the repricing reviews to the Legislature and the exclusive representatives of civil service employees prior to the convening of the regular 2010 Regular Session.

The rationale for the measures is that repricing reviews have not taken place as required by law. The measures are not needed, since repricing reviews have taken place.

Section 89-9(f)(2) of the Hawai'i Revised Statutes states: "If repricing has not been negotiated....the employer of each jurisdiction shall ensure establishment of procedures to periodically review, at least once in five years,.....the repricing of classes within the bargaining unit. The repricing of classes based on the results of the periodic review shall be at the discretion of the employer....." This statutory provision took effect on July 1, 2002, so the first five year period ended on June 30, 2007. The County's Department of Personnel Services completed its first periodic pricing review before June 30, 2007. In a memo dated June 4, 2007, the Department reported to Mayor Bryan J. Baptiste that the first review had been completed, and in this review, the Department found no need to reprice any of the County's white collar or blue collar classes that are within the bargaining unit. Although there is no requirement for reporting in the law, the results of this repricing action were reported to all jurisdictions. Since the County and other jurisdictions have complied with the legal requirements by completing timely periodic repricing reviews, **SCR 64 and SR 38 are not necessary.**

Thank you for the opportunity to present testimony on this matter.