

Wesley Taira

THE HOUSE OF REPRESENTATIVES
TWENTY FIFTH LEGISLATURE 2010
STATE OF HAWAII

JUDICIARY COMMITTEE

Chairman, Vice Chair and Members of the Committee:

This online testimony is in support of HB2473 regarding "Creating A Safe Work Environment." From 1994 through 1996, I was employed at the Department of Human Services (DHS), where it was necessary for me to file a complaint with the Civil Rights Office of that Department.

Being new to that work unit, I was immediately told by a senior member there that, "Remember, you are at the bottom of the totem pole," by a person who never knew me, never met me previously. I honestly thought she was joking, so I laughed and went along with what I believed to be "office humor." As the days and weeks went on however, I began to understand that this person, for whatever reason seemed to make it her job to antagonize and denigrate me at numerous times.

There was another male working with the unit, with whom unit members talked about and treated more in a sub-human fashion, however for some reason, I was afforded more humane treatment by most of the workplace employees. However, this one individual's statements and comments became increasingly more abusive, saying things like, "Why don't you take off all your clothes so we can paint you blue and you can run around like that," and "Why don't you take off your pants so we can see your penis." There was a social worker there who was the youngest on staff so this individual in front of everyone says, "Why don't you do it with her cause she I think she's a virgin." This is only a sample of the treatment this person provided daily.

The sexual nature of her barbs and put downs was just a sample of negative attitudes and behavior which I tolerated for months, thinking I should just laugh and ignore, but after her statements became more sexual in nature, I decided that this was getting out of hand. I found an attorney who would assist me, then subsequently went to the Civil Rights Office and filed a complaint of sexual harassment. The Civil Rights Office responded immediately and conducted an investigation, interviewing sixteen people in the work place who testified. In the end, it was determined that I was not a victim of sexual harassment, but the case was determined to be "Creating a Hostile Work Environment."

The individual received a consequence of receiving counseling from the unit supervisor which was a big joke after enduring months of abusive treatment from her. A month later I transferred to another State Department and received a promotion, but as I look back, I see that situation as being regrettable. I believe that the State could help its employees to have better work morale and be more productive employees if there were

a system in place which could evaluate not just the employees, but supervisors and those wielding power and authority. I believe the State could create not just a healthier, more productive work environment, but probably save more money spent on sick leave and counseling expenses used by unhappy employees.

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TESTIMONY OF SUSAN BREININGER
RE: HB 2473
RELATING TO WORKPLACE PRACTICES

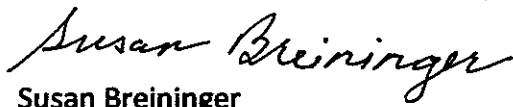
Aloha gentlemen and ladies. My name is Susan Breininger and I am testifying in favor of House Bill 2473 relating to workplace practices.

I am a retiree from Hawaii State DHS employment after 21 years of service. During that time I witnessed many instances of abusive, bullying, behavior. This took place from supervisors to employees, employees to employees and employees to supervisors. The form it took was anywhere from just yelling to insulting to blatant threatening of employment status. In every instance the workplace environment was severely impacted in a negative manner and productivity of the individual targeted and others affected by it declined markedly. The most egregious aspect of this was that only the most vulnerable individuals were targeted for this abusive treatment. There seemed to be no proscription in the State employment psyche against such behavior.

I recall one incident in particular. During the course of a unit staff meeting there was an attempt to deprive a worker who had severe lupus of her handicapped parking place. She was in tears and since the supervisor made no effort to avert such appalling behavior I spoke up vehemently in her defense. The issue was put to rest but not before it had generated divisiveness and ill will.

It is well documented in other spheres of endeavor that abusive, bullying tactics achieve nothing but resentment, ill health and low productivity. In view of the many criticisms the State encounters regarding efficiency I firmly believe that a law such as that proposed by HB2473 allowing for Workman's Compensation benefits to those injured by abusive, bullying tactics would bring the issue to the fore, encourage more positive methods and behavior and significantly increase productivity.

Respectfully submitted,


Susan Breininger

Honorable Chairman Karamatsu, Vice-Chairman Ito, and Committee Members

I am here in support of House Bill 2473.

My name is Audrey Tanaka and I am the mother of Kathleen Yamashiro.

The past couple of years have been very painful as I have experienced feelings of hopelessness and helplessness due to my daughter's work environment. It is the most terrible feeling knowing that a parent cannot do anything to help their child.

I have also witnessed another family member being treated terribly in the Workplace by another employee. In the end, this family member has had to quit work and look for another job.

I think the State of Hawaii needs a law such as this so that people in the Workplace would be treated with dignity and respect. I am therefore, humbly requesting your support with the passing of this House Bill.