

Testimony In Support of
HB2897 RELATING TO CONTRACTORS

By

Al Lardizabal, Director of Government Relations
Hawaii Laborers' Union

To the

House Committee on Labor

Honorable Karl Rhoads, Chair; Honorable Kyle Yamashita, Vice Chair and Members of
the Committee:

The Hawaii Laborers' Union fully supports the intent and purpose of HB2897 subjecting
contractors to revocation or suspension of license for knowingly or intentionally
employing a person who is not eligible to work in the U.S. under federal law to perform
work on any project or operation.

Thank you for the opportunity to submit this testimony.



HAWAII BUILDING AND CONSTRUCTION TRADES COUNCIL, AFL-CIO

GENTRY PACIFIC DESIGN CENTER, STE. 215A • 580 N. NIMITZ HIGHWAY, #50 • HONOLULU, HAWAII 96817
(808) 524-2249 • FAX (808) 524-6893

NOLAN MORIWAKI

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

JOSEPH O'DONNELL

Vice President
Iron Workers Local 626

DAMIEN T. K. KIM

Financial Secretary
International Brotherhood of
Electricians Workers Local 1188

ARTHUR TOLENTINO

Treasurer
Sheet Metal Workers I.A. Local 293

REGINALD CASTANARES

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Plumbers & Fitters Local 675

THADDEUS TOMEI

Elevator Constructors Local 125

MALCOLM K. AHLG

Carpet, Linoleum, & Soft Tile
Local 1296

JOSEPH BAZEMORE

Drywall, Tapers, & Finishers
Local 1944

RICHARD TAGGERE

Glaziers, Architectural Metal &
Glassworkers Local Union 1889

RONAN KOZUMA

Hawai Teamsters & Allied
Workers Local 996

GARY AYCOCK

Boilermakers, Ironship Builders
Local 627

LYNN KINNEY

District Council 50
Palleters & Allied Trades
Local 1791

KALANI MAHOE

Operating Engineers Local 3

PETER GANABAN

Laborers International Union of North
America Local 368

DOUGLAS FULP

International Association of
Heat & Frost Insulators
& Allied Workers Local 132

February 1, 2010

Honorable Representative Karl Rhoads, Chair
Honorable Representative Kyle T. Yamashita, Vice Chair
Members of the House Committee on Labor & Public Employment
Hawaii State Capital
415 South Beretania Street
Honolulu, HI 96813

RE: **IN SUPPORT OF HB 2897**
RELATING TO CONTRACTORS
Hearing: Tues., Feb. 2nd, 2010, 9:00 a.m., Room 309

Dear Chair Rhoads, Vice Chair Yamashita and the House Committee on
Labor & Public Employment:

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 2897 that subjects a
contractor to revocation or suspension of license for knowingly or
intentionally employing a person who is not eligible to work in the
United States under federal law to perform work on any project or
operation.

Thank you for the opportunity to submit this testimony in support
of HB 2897.

Sincerely,

W. Hong/dg

William "Buzz" Hong
Executive Director

WBH/dg

LATE



HAWAI'I CIVIL RIGHTS COMMISSION

830 PUNCHBOWL STREET, ROOM 411 HONOLULU, HI 96813 · PHONE: 586-8636 FAX: 586-8655 TDD: 568-8692

February 2, 2010
Room 309, 9:00 a.m.

To: The Honorable Karl Rhoads, Chair
and Members of the House Committee on Labor and Public Employment

From: Livia Wang, Acting Chief Counsel
Bill Hoshijo, Executive Director

Re: H.B. No. 2897

The Hawai'i Civil Rights Commission (HCRC) staff submits this memorandum to inform the Committee that the HCRC will not be able offer testimony on H.B. No. 2897 at this hearing because the HCRC Commissioners have not met to review and take a position on this bill. A meeting for Commission review of legislative proposals is scheduled for 4 p.m. on February 3, 2009, at which time the Commissioners will take a position on this and other bills. After this meeting, the HCRC position on H.B. No. 2897 will be decided and testimony will be submitted accordingly at future public hearings. We note that H.B. No. 2897 proposes an expansion of H.B. 643 (enacted last session as Act 145), which the HCRC opposed.

The HCRC takes its role and authority to testify and make recommendations to the legislature very seriously, and will do everything possible to assist you in your consideration of bills that affect HCRC jurisdiction and civil rights. We hope the temporary constraints we face will not cause inconvenience or difficulty for the House Committee on Labor & Public Employment. Please let us know if we can provide you any background information or answer any questions. Thank you for your understanding and patience.



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

House Committee on Labor & Public Employment
Representative Karl Rhoads, Chair
Representative Kyle Yamashita, Vice Chair

HB 2897 – RELATING TO CONTRACTORS
Tuesday, February 2, 2010
9:00 am
Conference Room 309

Chair Rhoads, Vice Chair Yamashita and Members of the House Committee on Labor & Public Employment:

My name is C. Mike Kido, External Affairs of the Pacific Resource Partnership (PRP), a labor-management consortium representing over 240 signatory contractors and the Hawaii Carpenters Union.

PRP would like to thank you for your support of HB 643, HD 2, SD 2 - A BILL FOR AN ACT RELATING TO CONTRACTORS that became Act 145-09. PRP continues to wage its fight to highlight the dangers of using unlicensed contractors and/or work using unskilled labor as defined in the bill to the detriment of both all parties involved. We would ask for your consideration of simple extension of existing HRS to including private projects where payroll and other employer tax requirements can easily be overlooked or intentionally avoid.

PRP strongly supports HB 2897 – Relating to Contractors, which subjects a contractor to revocation or suspension of license for knowingly or intentionally employing a person who is not eligible to work in the United States under federal law to perform work on any project or operation for the following reasons:

- Our fight is not against the illegal aliens who come here to try to make a living. Our state is made up primarily of those who have come here at one time or another from other countries. Our cause is targeted against those employers who seek to “cheat” our local people out of gainful employment and exploit illegal labor in these tough economic times for the sake of their “bottom line”.
- Many of these undocumented workers also get paid in cash, thereby avoiding income tax contributions that the rest of us pay that goes to support our schools and other social and infrastructure services.

- Nearly 54% of unionized carpenters statewide are unemployed. The hiring of illegal workers “cheats” our local people from obtaining good paying work to support their families, while allowing unscrupulous contractors to increase profits at the expense of our own locally unemployed and those they seek to exploit .

Thank you for the opportunity to share our views with you and we respectfully ask for your support on HB 2897 – Relating to Contractors.

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**PRESENTATION OF THE
CONTRACTORS LICENSE BOARD**

TO THE HOUSE COMMITTEE ON LABOR & PUBLIC EMPLOYMENT

TWENTY-FIFTH LEGISLATURE
Regular Session of 2010

Tuesday, February 2, 2010
9:00 a.m.

TESTIMONY ON HOUSE BILL NO. 2897, RELATING TO CONTRACTORS.

TO THE HONORABLE KARL RHOADS, CHAIR,
AND MEMBERS OF THE COMMITTEE:

My name is **Denny Sadowski, Legislative Committee Chair of the Contractors License Board ("Board")**. Thank you for the opportunity to present testimony on House Bill No. 2897, which proposes to make it a licensing violation for a contractor to knowingly and intentionally employ a person who is not eligible to work in the United States on any project, not just public work projects. The Board has **concerns** with this bill.

To give you some background on this measure, last year House Bill No. 643 was introduced which proposed to require the Department of Labor and Industrial Relations to investigate and enforce complaints relating to the employment of ineligible workers. This bill evolved into Act 145, which made it a licensing violation for contractors to knowingly employ ineligible persons on public work projects.

As the Board testified last year, we question the need for penalties specific to contractors. There are federal statutes and enforcement agencies already in place to address this issue, and employers must submit employment verification forms indicating that the individual is authorized to work in the U.S. We feel that any employer using

ineligible workers should be dealt with by the proper authorities, whether or not the employer is a contractor.

Thank you for the opportunity to testify on House Bill No. 2897.