



STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. Box 3378
HONOLULU, HAWAII 96801-3378

In reply, please refer to:
File:

Senate Committee on Labor

S.B. 1271, RELATING TO PUBLIC EMPLOYEES

**Testimony of Chiyome Leinaala Fukino, M.D.
Director of Health**

February 17, 2009

1 **Department's Position:** The department respectfully opposes this measure.

2 **Fiscal Implications:** None.

3 **Purpose and Justification:** This bill seeks to amend Chapter 78-23, HRS, to require state executive
4 department and state legislative branch employees, who are exempt from Chapter 76 and voluntarily or
5 involuntarily discharged from state employment, to use, donate, or forfeit any accumulated vacation
6 allowance. It also seeks to prevent exempt employees from being entitled to reemployment by the same
7 department that they were employed in prior to discharge.

8 The Department opposes this bill because it targets a group of public service employees and
9 applies an inequitable treatment from all other state employees.

12 This proposal could affect health and safety programs by reducing public services such as the
13 following: 1) adult and children mental health; 2) bioterrorism and emergency preparedness;
14 3) developmental disabilities; 4) environmental health and management; and 5) community health.

17 The measure would also bar exempt employees from reemployment by the same department which
18 could be detrimental. For example, it would create an obstacle for filling exempt positions with
19 incumbents who possess highly specialized knowledge, skills and abilities.

21 Thank you for the opportunity to testify.

Testimony for the Senate Committee on Labor. Notice of Hearing Tuesday February 17, 2009 2:45 pm.

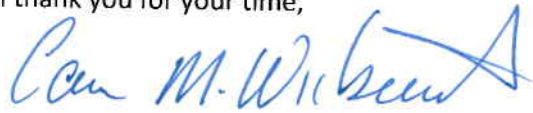
From Caron M. Wilberts – Clerk Typist State of Hawaii DOE.

I would like to offer testimony on SB 1271.

There are two sections in this Bill that you can be for and opposed. Looking at section 1-f. it should be no matter that if you are a full time permanent employee or a temporary employee, if you have put in the time then you should be able to keep what vacation time you have incurred. You have earned it, simple as that. And if you are not able to take the leave before one is discharged, that employee should be compensated for it

But now looking at section 1-f-3. If I am understanding this part of the bill, this would be double dipping. So if your contract is up, you leave then you are re-hired again, that policy should stop.

I thank you for your time,

A handwritten signature in blue ink that reads "Caron M. Wilberts". The signature is written in a cursive style with a large, sweeping flourish at the end.

Caron M. Wilberts