

**SB2062**



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The Twenty-Fifth Legislature, State of Hawaii  
Hawaii State Senate  
Committee on Judiciary and Government Operations

Testimony by  
Hawaii State AFL-CIO  
February 9, 2010

## S.B. 2062 – RELATING TO EMPLOYMENT PRACTICES

The Hawaii State AFL-CIO strongly supports S.B. 2062 which establishes procurement preferences for public works contracts, establishes a responsible construction contractor law which specifies prerequisites for government construction contractors and subcontractors, allows public comments on the public procurement process and requires the comptroller to report to the legislature on the implementation of the Act.

No longer should responsible contractors be punished for complying with state labor laws in the bidding process. There must be greater penalties for contractors who consistently violate state labor laws. It is the only sensible way to act. Contractors who follow and obey the law should not have an unfair advantage to contractors who feel violating the law is perfectly fine to save money and bid low; only to hurt the responsible contractors

As a result, S.B. 2062 provides contractors and subcontractors the ability to achieve a five percent bid preference, assuming they meet the criteria specified in S.B. 2062. Furthermore, as a prerequisite to the award of any contract a subcontractor and contractor shall follow the new rules as stipulated in S.B. 2062, section 103D-B. This helps ensure workers are treated fairly and responsible contractors are no longer penalized for complying with state labor laws and providing workers with fair and just treatment. Should a contractor and subcontractor fail to comply with section 103D-B, various sanctions could occur such as temporary suspension of work on the project or permanent disqualification.

The Hawaii State AFL-CIO urges the passage of S.B. 2062 to help level the playing field for all responsible contractors and to ensure workers are treated with the respect and dignity they deserve. It is time to put a stop to outside bidders violating state labor laws.

Thank you for the opportunity to testify.

Respectfully submitted,

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# INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS®

The Senate  
Twenty-Fifth Legislature  
Regular Session of 2010

Committee on Judiciary and Government Operations

Senator Brian T. Taniguchi, Chair  
Senator Dwight Y. Takamine, Vice Chair

Hearing: Tuesday February 9, 2010  
Time: 10:00 a.m.  
Place: Conference Room 016

**Testimony of the International Brotherhood of Electrical Workers**  
**(IBEW)**

**Re: S.B 2062 Relating To Procurement**

S.B 2062 would help ensure that tax payer dollars are only spent on contractors who "play by the rules" and who are in strict compliance with all State laws and requirements.

The IBEW strongly supports this measure.

The Hawaii unionized construction industry takes great pride in ensuring that our workers are properly paid, highly trained, extremely productive and receive a superior standard of safety training. We believe that the state laws and requirements are there to protect our citizens and to ensure the highest level of safety and workmanship and that these laws should always be followed and obeyed.

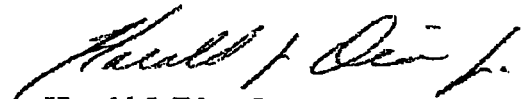
Unfortunately, we are seeing more and more unscrupulous contractors come in this state who have a total disregard for our laws, rules and regulations. They blatantly violate established provisions putting Hawaii's citizens at risk and making a mockery of our safety, consumer and worker protections.

This is a serious moral, health and safety issue for all of Hawaii and should not be tolerated any longer.

S.B 2062 takes the first step in correcting this problem by ensuring that not one penny of tax payer money goes to any of these irresponsible, law-breaking contractors.

You can and should put an end to this injustice with the quick passage of S.B 2062.

Thank you for the opportunity to provide testimony.



Harold J. Dias, Jr  
IBEW, International Representative