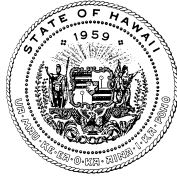


**TESTIMONY**

**SB 2323**

**LATE**

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January 28, 2010

To: The Honorable Dwight Y. Takamine, Chair,  
and Members of the Senate Committee on Labor

Date: Thursday, January 28, 2010

Time: 2:45 p.m.

Place: Conference Room 224  
State Capitol

From: Darwin L.D. Ching, Director  
Department of Labor and Industrial Relations

**Testimony in Opposition of  
S.B. 2323, Relating to Employment Security**

The Department of Labor and Industrial Relations opposes this bill for the following reasons:

- Eliminating the requirement that claimants register for work with the public employment office is very likely to reduce the number of claimants who do. As of September 30, 2009, over 37,000 claimants (of a total 83,000 jobseekers) were registered in the Department's electronic job-matching system. During the same period, over 11,000 job openings were listed. Claimants who decline registration will not have access to the jobs listed and will not be among the 44% of claimants who secure work after registering in the Department's job-matching system.
- Often, UI claimants are the most employable set of jobseekers because they have the skills, experience, and work habits that are more relevant to today's businesses than someone out of work for several years. Reducing this pool of workers in the job matching system may make the system less attractive to employers for listing job openings because the quality of candidates may suffer. It also will preclude employers from contacting claimants for consideration for job openings, if these claimants are not registered in the system. Thus, claimants who are not registered may never be contacted by these employers although they may fit the employers' hiring needs.

- The registration process includes collecting data on work history, educational levels, jobs sought, and other demographics, and includes identification of skills possessed. These skills and other factors are matched to requirements or preferences for jobs listed. If a claimant does not have the skills required for jobs available, the individual will be advised of retraining opportunities and/or provided career counseling, with possible in-depth skills and interest assessments and information about other services available. For example, former plantation workers who registered for services and received retraining were able to transition into new careers outside of agriculture. Without the data collection and skills assessments that were automatically performed during registration, they would not have been able to take advantage of these opportunities.
- Data gathered for groups of affected workers are used to develop grant applications for federal funds, such as those sought and received to assist workers laid off from Del Monte, Aloha Airlines, Molokai Ranch, and various sugar plantations. The registration process also collects contact information so that the individual may be notified of additional services available if a federal grant is awarded. If the claimant is not registered, the individual may never be included in the pool to be served.
- Internet based job matching is the most efficient method of matching a jobseeker's skills and interests with job openings. The volume of jobseekers and jobs, each with requirements or preferences for skills, experience, hours of work, and other conditions, requires technology for storing databases, sorting, and matching. Many employers, including the federal government and some larger private employers, require job applications to be submitted via internet. As an estimated 15-25% of jobseekers require some assistance in using the Department's job-matching system, helping claimants and other users is an integral part of providing services and exposes them to internet applications in their job search. If the individual is unfamiliar with computers or the internet, the claimant may be encouraged to enroll in training for basic computer applications to become acquainted with keyboarding or other common computer uses in today's jobs.

For the reasons stated above, the Department opposes this measure.

The Twenty-Fifth Legislature  
Regular Session of 2010

THE SENATE  
Committee on Labor  
Senator Dwight Y. Takamine, Chair  
Senator Brian T. Taniguchi, Vice Chair

State Capitol, Conference Room 224  
Thursday, January 28, 2010; 2:45 p.m.

**STATEMENT OF THE ILWU LOCAL 142 ON S.B. 2323  
RELATING TO EMPLOYMENT SECURITY**

The ILWU Local 142 supports S.B. 2323, which removes definitions requiring online posting of workers' availability and prohibiting all Department of Labor rules, current and future, that require posting of workers' availability online.

Through the years, the ILWU has enjoyed a cordial and collaborative relationship with the State Department of Labor and Industrial Relations and its divisions for Unemployment Insurance and Workforce Development. The Department has assisted ILWU members being laid off by sending staff out to provide "rapid response" sessions and to take applications in the field. However, we have a concern about a recently implemented requirement that S.B. 2323 seeks to address.

The definition of "register for work" in HRS 383 includes a requirement that the claimant post online the claimant's "name, job skills, education, training, prior employment history and work duties, preferred working conditions, occupational licenses, and other relevant occupational information to facilitate work search efforts." What is posted online is generally a resume of sorts for the claimant.

The ILWU believes this requirement to post an online resume poses a disadvantage to claimants who are not computer literate or do not have access to the Internet.

In recent months, several hundred ILWU members have lost their jobs and were forced to apply for unemployment benefits. These members were employees of Gay & Robinson and Maui Pineapple Company, both agricultural companies which shut down at the end of November and December, respectively. Most of these workers have never used a computer and do not know how to post a resume on the Department of Labor's website. Yet such a posting is required for the worker to receive unemployment benefits and, we understand, must be done within a week after application for benefits.

The Workforce Development Division does make itself available to claimants needing assistance with this online posting. However, the WDD is currently short-staffed and overloaded with responsibilities to assist the hundreds and thousands of workers needing assistance to find a new job. Having to accomplish this responsibility within a short timeframe poses an additional burden for a staff already stretched thin.

Unemployment insurance claimants should be registered in some fashion with the Workforce Development Division. WDD needs information on claimants to be effective in assisting them to find new employment. However, the online posting poses an unnecessary impediment to otherwise eligible claimants as well as an undue burden for WDD staff.

We do not object to requiring claimants to "register for work," but the definition should not include online posting of work availability.

The Department may also want to consider streamlining forms that applicants for unemployment insurance must complete. Currently, applicants must complete multiple forms requesting similar information. A single form that can be shared between the two divisions (UI and WDD) would be more efficient and far more user-friendly for the claimant.

The ILWU urges passage of S.B. 2323. Thank you for the opportunity to testify on this matter..



The Senate  
Twenty-Fifth Legislature  
Regular Session of 2010

Committee on Labor  
Senator Dwight Y. Takamine, Chair  
Senator Brian T. Taniguchi, Vice Chair

**LATE**

DATE: Thursday, January 28, 2010  
TIME: 2:45 p.m.  
PLACE: Conference Room 224

**TESTIMONY OF THE UNITED PUBLIC WORKERS, LOCAL 646, ON SB 2323,  
RELATING TO EMPLOYMENT SECURITY**

SB 2323 prohibits Online Requirements by the Department of Labor and Industrial Relations.

**UPW supports this measure.**

Currently, eligibility to receive unemployment benefits includes the requirement that the claimant post online the claimant's "name, job skills, education, training, prior employment history and work duties, preferred working conditions, occupational licenses, and other relevant occupational information to facilitate work search efforts" (HRS 383).

The online posting requirement assumes claimants are computer literate, have access to the internet, or will have timely assistance from the workforce Development staff to complete this requirement. The closing of Gay & Robinson and Maui Pineapple Co. and the subsequent filing of UI benefits by hundreds of agricultural workers proved to be an unnecessary burden to claimants and the over-worked Workforce Development staff.

Although this information is extremely valuable in helping claimants seek new employment, we believe streamlining the process without requiring the online requirement would be more efficient for many claimants.

For this reason we urge the passage of this measure.

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