

TESTIMONY

SB 2383



HAWAII BUILDING AND CONSTRUCTION TRADES COUNCIL, AFL-CIO

GENTRY PACIFIC DESIGN CENTER, STE. 215A • 560 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 625

DAMIEN T. K. KIM
Financial Secretary
International Brotherhood of
Electrical Workers Local 1186

ARTHUR TOLENTINO
Treasurer
Sheet Metal Workers I.A. Local 293

REGINALD CASTANARES
Trustee
Plumbers & Fitters Local 675

THADDEUS TOMEI
Elevator Constructors Local 126

MALCOLM K. AHLO
Carpet, Linoleum, & Soft Tile
Local 1296

JOSEPH BAZEMORE
Drywall, Tapers, & Finishers
Local 1944

RICHARD TAGGERE
Glaziers, Architectural Metal &
Glassworkers Local Union 1889

ROMAN KOZUMA
Hawaii Teamsters & Allied
Workers Local 996

GARY AYCOCK
Boilermakers, Ironship Builders
Local 627

LYNN KINNEY
District Council 50
Painters & 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 Senator Dwight Y. Takamine, Chair
Honorable Senator Brian T. Taniguchi, Vice Chair
Members of the Senate Committee on Labor
Hawaii State Capital
415 South Beretania Street
Honolulu, HI 96813

RE: **IN SUPPORT OF SB 2383**
Relating to Employment Practices.
Hearing: Tues., Feb. 2, 2010, 3:00 p.m., Room 224

Dear Chair Takamine, Vice Chair Taniguchi and the Senate Committee
on Labor:

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 SB 2383 which authorizes
the Department of Labor and Industrial Relations to exercise
enforcement powers against an employer in a covered
establishment that would require the employer to adhere to, and
comply with, the notification and penalty provisions of section
394B-9, HRS.

Thank you for the opportunity to submit this testimony in support
of SB 2383.

Sincerely,

W. Hong

William "Buzz" Hong
Executive Director

Testimony in Support of
SB2383 RELATING TO DISLOCATED WORKERS

By

Al Lardizabal, Director of Government Relations
Hawaii Laborers' Union

To the Senate Committee on Labor
February 2, 2010
Room 224

Honorable Senator Dwight Takamine, Chair, Senate Labor Committee; Honorable Brian Taniguchi, Vice Chair and Members of the Senate Committee on Labor:

The Hawaii Laborers' Union fully supports the intent and purpose of SB2383 requiring employers in a covered establishment to provide to each employee and the director written notice of a closing, divestiture, partial closing or relocation at least 60 days prior to the occurrence, pursuant to HRS-371-12.

Thank you for the opportunity to submit this testimony.

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
Tuesday, February 2, 2010; 3:00 p.m.

**STATEMENT OF THE ILWU LOCAL 142 ON S.B. 2383
RELATING TO DISLOCATED WORKERS**

The ILWU Local 142 supports S.B. 2383, which authorizes the Department of Labor and Industrial Relations to exercise enforcement powers against an employer in a covered establishment that would require the employer to adhere to, and comply with, the notification and penalty provisions of Section 394B-9, HRS.

The 2007 Legislature amended the Dislocated Worker Act to include penalties against an employer for failure to provide notice in the event of a closure, divestiture, partial closing or relocation of a business. However, to enforce the penalties, an aggrieved worker must file a claim in court, subjecting the worker to expense and delays that ultimately serve as a disincentive to seeking the penalties.

S.B. 2383 will authorize the Department of Labor and Industrial Relations to enforce the penalties section of the Dislocated Worker Act. The Department has far more resources at its disposal than a dislocated worker who has lost his job and may not know what lies ahead for him in the future.

The ILWU urges passage of S.B. 2383. Thank you for the opportunity to testify on this matter..