

TESTIMONY

SB 690

LINDA LINGLE
GOVERNOR OF HAWAII



MARIE C. LADERTA
DIRECTOR

CINDY S. INOUE
DEPUTY DIRECTOR

STATE OF HAWAII
DEPARTMENT OF HUMAN RESOURCES DEVELOPMENT
235 S. BERETANIA STREET
HONOLULU, HAWAII 96813-2437

February 10, 2009

TESTIMONY TO THE
SENATE COMMITTEE ON LABOR
SENATE COMMITTEE ON TRANSPORTATION, INTERNATIONAL AND
INTERGOVERNMENTAL AFFAIRS
For Hearing on Wednesday, February 11, 2009
1:15 p.m., Conference Room 224

BY

MARIE C. LADERTA, DIRECTOR

Senate Bill No. 690
Relating to Intergovernmental Movements

TO CHAIRPERSONS DWIGHT Y. TAKAMINE AND J. KALANI ENGLISH, AND
MEMBERS OF THE COMMITTEES:

The purpose of Senate Bill 690 is to allow for the exchange or movement of civil service employees between the State, counties and the Federal government provided that certain conditions are met. The provisions of this bill were formerly covered under Section 76-36, HRS, which was repealed in Act 253, SLH 2000. Currently, temporary exchanges and movement of civil service employees between government jurisdictions, including the Federal government, is authorized under Section 78-27, HRS (Temporary inter-and intra-governmental assignments and exchanges).

The Department of Human Resources Development supports the intent of S.B. 690, which would authorize the permanent movements of civil service

members between different civil service systems, with the following amendments:

1. The person is selected through an open-competitive civil service recruitment process conducted by the gaining jurisdiction;
2. The person is in a permanent civil service position and is a permanent civil service member of the losing jurisdiction.
3. The person meets the minimum qualification requirements and other requirements of the civil service class and position, and other public employment requirements.
4. The affected jurisdictions must approve all movements through their department heads and directors.
5. The person serves an initial probation period in a permanent civil service position pursuant to Section 76-27, Hawaii Revised Statutes.

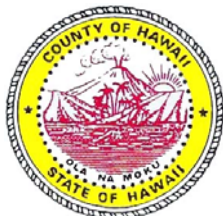
Thank you for the opportunity to provide testimony on S.B. 690.

Respectfully submitted,



MARIE C. LADERTA
Director

William P. Kenoi
Mayor



Michael R. Ben, SPHR
Director of Personnel

Ronald K. Takahashi
Deputy Director of Personnel

County of Hawai'i Department of Civil Service

Aupuni Center * 101 Pauahi Street, Suite 2 * Hilo, Hawai'i 96720 * (808) 961-8361 * Fax (808) 961-8617
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February 11, 2009

The Honorable Dwight Y. Takamine, Chair
And Members of the Committee on Labor

The Honorable J. Kalani English, Chair
And Members of the Committee on Transportation, International and
Governmental Affairs

The Senate
State Capitol Honolulu, HI 96813

Dear Chairs Takamine and English, and Members of the Respective Committees:

Re: SB 690 Relating to Intergovernmental Movements

I am Michael R. Ben, Director of Human Resources for the County of Hawai'i. SB 690 proposes to reintroduce into law a provision which was repealed under Act 253, SLH 2000, better known as Civil Service Reform.

Because of Act 253, SLH 2000, Hawai'i County was able to inform all Kona Hospital employees designated to be laid off in the first half of 2008, that we would permit them to seek intergovernmental movement to our County. We only had two conditions:

1. They meet the minimum qualifications for the job they were interested in, and
2. The job had to be at the same or lower pay level than that held at Kona Hospital.

However, no Kona hospital employee subject to layoff was able to take advantage of our offer.

Hawai'i County is an Equal Opportunity Provider and Employer.

The Honorable Dwight Y. Takamine, Chair
And Members of the Committee on Labor
The Honorable J. Kalani English, Chair
And Members of the Committee on Transportation, International and
Governmental Affairs
February 11, 2009
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SB 690, as written, prevents us from now making this type of decision on intergovernmental movement because it specifically provides that

- (2) All exchanges and movements shall be to the same or closely related class of positions.

Clause (2) restricts movements to the same or closely related class of positions. In our Kona Hospital manner, we did not have this restriction. Thus, to provide us flexibility on our hiring of State or other County civil service employees through the intergovernmental process, we ask that clause (2) be deleted. Please note that employees wishing to move must still meet the minimum qualifications of the class to which movement is sought (see clause (3)).

While I understand the proposed language is similar, if not identical to the original section of law providing for these exchanges and movements, I ask too that the provision be amended to clearly limit movements to State and county civil service employees. As written, the provision allows movement among State, county, and Federal civil service employees. As Federal civil service employees are not governed by our state civil service laws under which the State and counties civil service operate, I see no compelling reason to permit Federal civil service employees movement into the civil service system governed by state civil service law in the same matter afforded our State and counties civil service employees.

I ask for your favorable action as I have explained.

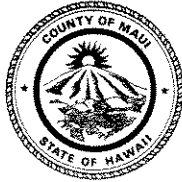
Thank you.

Sincerely,



Michael R. Ben, SPHR
Director of Human Resources

CHARMAINE TAVARES
Mayor



LYNN G. KRIEG
Director

LANCE T. HIROMOTO
Deputy Director

COUNTY OF MAUI
DEPARTMENT OF PERSONNEL SERVICES

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February 9, 2009

The Honorable Dwight Y. Takamine, Chair
Committee on Labor
and
The Honorable J. Kalani English, Chair
Committee on Transportation, International
and Intergovernmental Affairs
The Senate
Hawaii State Capitol
415 South Beretania Street
Honolulu, HI 96813

Dear Senators Takamine, English and Committee Members:

RE: S.B. 690, RELATING TO INTERGOVERNMENTAL MOVEMENTS

I am Lynn G. Krieg, Director of Personnel Services for the County of Maui, writing in support of this measure.

We recognize that S.B. 690 proposes to reintroduce a provision that was repealed under Act 253. While we are in favor of its reintroduction, we feel that the proposal, as written, could be improved. The following are our comments:

1. References to intergovernmental movements involving federal employees should be deleted as these employees are under an entirely different civil service system.
2. Item #2 which references exchanges and movements to same or a closely related class of positions should be deleted as it would provide employers, as well as employees, with greater flexibility.

Thank you for the opportunity to provide comments. We humbly request favorable action, with revisions, on this measure.

Sincerely,

A handwritten signature in black ink, appearing to read "Lynn G. Krieg".

LYNN G. KRIEG
Director of Personnel Services

cc: Mayor Charmaine Tavares
Justin Gruenstein



HAWAII GOVERNMENT EMPLOYEES ASSOCIATION

AFSCME Local 152, AFL-CIO

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The Twenty-Fifth Legislature, State of Hawaii
Hawaii State Senate
Committee on Labor

Testimony by
Hawaii Government Employees Association
February 11, 2009

S.B. 690 – RELATING TO
INTERGOVERNMENTAL
MOVEMENTS

The Hawaii Government Employees Association supports the purpose and intent of S.B. 690. The objective of S.B. 690 is to reinstate Section 76-36, HRS, which was inadvertently repealed under Act 253, SLH 2000. It is our understanding that the employers are supportive of this addition to Chapter 76, HRS. While the intent of Act 253, SLH 2000, was to reform the civil service system, it was not supposed to reduce the rights, benefits and privileges enjoyed by civil servants. In this particular case, reinstating Section 76-36, HRS, is the most effective and expeditious means of restoring these rights and benefits.

Thank you for the opportunity to testify in support of this measure.

Respectfully submitted,

Nora A. Nomura
Deputy Executive Director