

Honolulu, Hawaii

Feb 14, 2012

RE: H.B. No. 2572
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committee on Labor & Public Employment, to which was referred H.B. No. 2572 entitled:

"A BILL FOR AN ACT RELATING TO STATE EMPLOYMENT,"

begs leave to report as follows:

The purpose of this measure is to amend Hawaii's Civil Service Law by:

- (1) Clarifying that participants in federally funded work experience training and temporary public service employment are included in exemptions from State Civil Service; and
- (2) Allowing controlled substance abuse-related offenders to be hired in work experience training and temporary public employment provided reasonable safeguards are in place to protect employees and the public.

The Department of Labor and Industrial Relations and Department of Human Resources Development testified in support of this measure.

Under Hawaii's Civil Service Law, the filling of civil service positions must be done according to civil service recruitment procedures unless expressly exempted. These exemptions include target populations in federally funded programs who are employed in temporary state jobs as work-experience



trainees. Work-experience trainees often include the long-term unemployed, welfare recipients who often lack work experience, laid-off workers with obsolete skill sets, former prison inmates, and at-risk youth without marketable skills. Your Committee finds that participants in this program gain exposure to different work environments, develop good work habits, build confidence, and enhance work skills to become productive members of society which helps the overall economic picture of the State because as these individuals get other jobs, the reliance on benefits such as unemployment insurance and welfare assistance will be lessened.

While a work-experience training program provides its participants with good work habits and skill sets that will enhance their ability to secure jobs after completion of training, your Committee notes that a person who had a criminal conviction for a controlled substance-related offense in the last three years is prohibited from being employed through this program despite the individual demonstrating their rehabilitation and their need to become a contributing member of the community after their release. Your Committee finds that a work-experience training program can be successful in transitioning these individuals back into the community and reduce their recidivism rates.

Although your Committee notes that one intent of this measure is to simply clarify the target groups that are provided with the civil service exemption provision, it is unclear whether graduate student positions that provide work-experience or work-study training and are currently filled using civil service recruitment procedures would now be exempt from this civil service requirement. Accordingly, your Committee has amended this measure by providing that graduate student positions are not covered under the exemptions provided.

Technical, nonsubstantive amendments have also been made for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2572, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2572, H.D. 1, and be referred to the Committee on Finance.



Respectfully submitted on
behalf of the members of the
Committee on Labor & Public
Employment,

Karl Rhoads

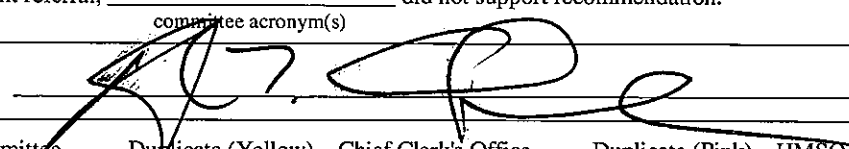
KARL RHOADS, Chair



State of Hawaii
House of Representatives
The Twenty-sixth Legislature

HSCR 330-12

Record of Votes of the Committee on Labor & Public Employment

Bill/Resolution No.: HD 2572	Committee Referral: LAB, FIN	Date: 2-3-12		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
LAB Members	Ayes	Ayes (WR)	Nays	Excused
1. RHOADS, Karl (C)	/			
2. YAMASHITA, Kyle T. (VC)	/			
3. AQUINO, Henry J.C.	/			
4. CULLEN, Ty	/			
5. ICHIYAMA, Linda	/			
6. LEE, Marilyn B.	/			
7. LUKE, Sylvia	/			
8. OKAMURA, Tom				
9. SAIKI, Scott K.	/			
10. SOUKI, Joseph M.	/			
11. TAKUMI, Roy M.	/			
12. FONTAINE, George R.	/			
13. JOHANSON, Aaron Ling	/			
TOTAL (13)	12	-	-	-
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small>committee acronym(s)</small>				
Vice Chair's or designee's signature: 				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				