

Wailuku, HI 96793
January 19, 2012

The Honorable Karl Rhoads, Chair
And Members of the Committee on
Labor and Public Employment
Hawaii State Capitol
415 South Beretaina Street
Honolulu, HI 96813

Dear Chair Rhoads and Committee Members:

RE: House Bill 588

I am writing on behalf of the civil rights community to illuminate the overwhelming potential for abuse in the proposed legislation, H.B.588.

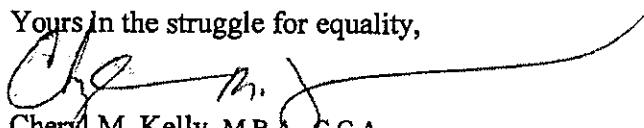
As a civil rights professional for twenty-five years the core values of which are fairness, effectiveness and efficiency, I find it inexcusable that the Hawaii State Legislature would even entertain legislation which would turn the clock back to 1963. The Civil Rights Act of 1964 (CRA) was enacted to address discrimination in employment. Past discriminatory practices such as political appointments, nepotism, cronyism and sexism, as well as race based discrimination.

Title VII of the CRA of 1964 prohibits discrimination based on race, color, national origin, sex, religion, age, disability and retaliation. Can you honestly guarantee that by giving the power to appoint the director of human resources, to the mayors that politics and favoritism will not be a factor in administering the counties programs?

I implore you, on behalf of all of the diverse ethnic and racial groups that make up the state of Hawaii, not to turn the clock back to 1963. We have come a long way as a country; the merit principles under girded by the guarantee of equal employment opportunity promised by the CRA of 1964 provide the framework by which we live and work. To ignore the sacrifice of Dr. Martin Luther King, Jr., President John F. Kennedy and the countless others who fought and died to secure rights for us all is to step back 49 years. That might be a good thing for the few, but it will not benefit the many.

Please, vote **NO** on H.B. 588 as demonstration of your commitment to equal employment opportunity.

Yours in the struggle for equality,


Cheryl M. Kelly, M.B.A., C.C.A.

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Dear Chair Rhoads and Committee Members:

Re: House Bill 588

I understand the above bill is under consideration with the Committee on Labor and Public Employment. I am writing to oppose the passage of this bill which would give the county mayors the right to hire and fire their personnel services director and in conflict with equal employment opportunity and the merit principle.

As an employee with the County of Maui since 1996, I have gained much insight and respect for the civil service system and have come to trust in the merit principle. I believe in equal opportunity, impartial selection of individuals for public service and equal pay for equal work. By giving the county mayors the right to appoint the personnel services director, there will be no consistency in applying these principles and enforcing the civil service law. It is also in opposition to the merit principle that the personnel director's office was established to protect.

The personnel directors of each county are responsible to uphold the merit principle. The passing of this bill could pave the way for mayors to add another director under their political influence. This bill is clearly an attempt to circumvent the civil service laws that have been established to protect the government from political patronage. The Minnesota Supreme Court has stated that "one of the purposes of the civil service laws and rules is to eliminate as far as practicable the element of partisanship and personal favoritism in the making of the appointment."

When I speak of the dangers of politicizing and compromising the functions of this office, I speak from personal experience. Several administrations ago, the then mayor came to the Civil Service Commission and threatened to transfer our function to another department because of the denial of a request to reallocate an incumbent and its position. By keeping the respective commissions responsible for the selection of their personnel director, the hiring process will also be free of coercive political demands.

I respectfully ask for your support and to please vote no on this bill.

Sincerely,



Cynthia M. Razo

yamashita2 ----Aulii

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, January 18, 2012 10:51 PM
To: LABtestimony
Cc: kailaniprometheus@bigstring.com
Subject: Testimony for HB588 on 1/20/2012 10:05:00 AM

Testimony for LAB 1/20/2012 10:05:00 AM HB588

Conference room: 309
Testifier position: Oppose
Testifier will be present: No
Submitted by: Kailani Hanohano
Organization: Individual
E-mail: kailaniprometheus@bigstring.com
Submitted on: 1/18/2012

Comments: