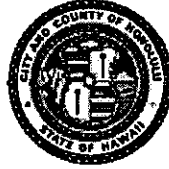


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PETER B. CARLISLE
MAYOR

DOUGLAS S. CHIN
MANAGING DIRECTOR
CHRYSYN K. A. EADS
DEPUTY MANAGING DIRECTOR

January 26, 2012

The Honorable Clayton Hee, Chair
and Members of the Committee on
Judiciary and Labor
The Senate
State Capitol
Honolulu, Hawaii 96813

Dear Chair Hee and Members:

Subject: Senate Bill No. 2068
Relating to Collective Bargaining

The City & County of Honolulu **strongly supports** S.B. 2068, which seeks to provide public employers with a method for ensuring the continued performance of vital safety and health services in the event of a strike. S.B. 2068 proposes to restore the concept of essential workers during a labor strike. In 2001, Act 90 deleted "essential employees" and "essential positions and although portions of Act 90 were repealed in 2007, the essential worker concept was never restored.

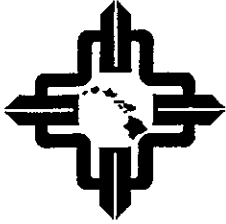
For almost 30 years preceding the passage of Act 90, the employer had the ability to petition the Hawaii Labor Relations Board to declare certain employees and positions "essential." This enabled the City to continue vital services and public health and safety during a strike. At this time, only teachers, professors, and blue-collar workers in Bargaining Unit 1 have the legal right to strike. Of most concern for the City is Bargaining Unit 1, which is comprised of workers such as wastewater treatment plant operators, pipefitters, refuse collectors, and custodians. A strike without essential workers could have a significant impact on the health, safety, and economy of the State and counties.

Based upon the foregoing, we strongly urge favorable action by your committee. We thank you for giving us the opportunity to testify on this matter.

Very truly yours,

A handwritten signature in black ink that reads "Peter B. Carlisle".

Peter B. Carlisle
Mayor



HAWAII HEALTH SYSTEMS
C O R P O R A T I O N

"Touching Lives Everyday"

Senate Committee on Judiciary and Labor
Senator Clayton Hee, Chair
Senator Maile S.L. Shimabukuro, Vice Chair

Thursday, January 26, 2012
2:30 p.m.
Conference Room 229
Hawaii State Capitol

Testimony Supporting Senate Bill 2068, Relating to Collective Bargaining
Prohibits strikes by public employees who are designated as essential employees.

Bruce S. Anderson

President and Chief Executive Officer
Hawaii Health Systems Corporation

On behalf of the Hawaii Health Systems Corporation (HHSC) Corporation Board of Directors, thank you for the opportunity to present testimony in **strong support** of SB 2068, which amends Chapter 89 to restore a public employer's ability to ensure that employees designated as "essential workers" remain on the job in the event of a strike, in order to protect public health and safety.

HHSC is the nation's fourth largest public health care organization and provides 24/7 acute and long-term care services at 13 facilities across the State of Hawaii. Among HHSC's more than 4000 employees are many who are members of bargaining unit 1, which is one of three bargaining units that currently retain the right to strike. Bargaining unit 1 members provide various services that are essential to the operation of HHSC's 24/7 facilities, including dietary services (i.e., food preparation, food delivery); housekeeping services; laundry services; and various repair/maintenance services. Should bargaining unit 1 employees be unavailable to perform such services, it would obviously pose great risk to the health and well-being of the very vulnerable population that we serve.

At the present time there is no mechanism available to ensure that employees providing such critical services remain on the job in the event of a strike. Despite the obvious risk to public safety, public employers like HHSC are left with no viable options to maintain services that are absolutely necessary for their continued operations. Any effort to contract for services or hire replacements, for example, would almost certainly be subject to immediate legal challenge.

The "essential worker" language was inexplicably removed from Chapter 89 as part of Act 253, civil service reform (SLH 2000). HHSC supports its restoration, and respectfully requests that this committee vote to advance SB 2068.

Thank you for the opportunity to testify before this committee.