



HAWAII GOVERNMENT EMPLOYEES ASSOCIATION

AFSCME Local 152, AFL-CIO

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The Twenty-Sixth Legislature, State of Hawaii
House of Representatives
Committee on Finance

LATE TESTIMONY

Testimony by
Hawaii Government Employees Association
March 28, 2012

S.B. 2967, S.D. 2 – RELATING TO COLLECTIVE BARGAINING

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO supports the purpose of S.B. 2967, S.D. 2, which creates a new Bargaining Unit 14 for Ocean Safety Officers and Water Safety Officers employed by the State or counties, with a package of proposed amendments as contained in the attached proposed H.D. 1.

Ocean and Water Safety Officers currently belong to HGEA Bargaining Units (BU) 03 – White Collar Employees, and Unit 04 – White Collar Supervisors. BU 03 is the largest of all thirteen (13) public sector bargaining units and is composed of a broad and heterogeneous membership. The membership size and diversity of the professions representative of BU 03 increases the complexity and ability to address the specialized needs of Ocean and Water Safety Officers in contract negotiations. While BU04 has a smaller membership count, its salary schedule and contract provisions reflect those of BU03. These bargaining units were established in the early 1970's with the passage of Chapter 89, Hawaii Revised Statutes, and have not been recently amended.

We respectfully propose the following four (4) amendments to S.B. 2967, S.D. 2, for clarity:

- 1) Section 1, which makes amendments to Section 89-6, HRS, should include the following language:

"(b) Because of the nature of the work involved and the essentiality of certain occupations that require specialized training, supervisory employees who are eligible for inclusion in bargaining units (9) through ~~[(13)]~~ (14) shall be included in bargaining units (9) through ~~[(13)]~~ (14) respectively, instead of bargaining unit (2) or (4)."

- 2) Section 2, Pages 3 – 4, beginning at Line 18, which makes amendments to Section 89-7(c), Hawaii Revised Statutes should be amended to read:

"(c) No election shall be directed by the board in any appropriate bargaining unit within which:

- (1) a valid election has been held in the preceding twelve months; ~~or~~
- (2) a valid collective bargaining agreement is in force and effect; or

(3) Any new bargaining unit is created, composed of employees currently covered by a valid collective bargaining agreement and represented by the same exclusive representative."

- 3) Replace in entirety, the language in Section 4 of S.B. 2967, S.D. 2 with the following:

"The rights, benefits and privileges currently enjoyed by Ocean Safety Officers and Water Safety Officers, including those rights, benefits and privileges under Chapters 76, 78, 87A, and 88 of the Hawaii Revised Statutes shall not be impaired or diminished as a result of employees being transitioned to the newly created bargaining unit 14. Further, the transition to the new bargaining unit shall not result in any break in service for affected employees. The rights, benefits and privileges currently enjoyed by Ocean Safety Officers and Water Safety Officers shall be maintained under their existing collective bargaining agreement (and any successor agreement) until a collective bargaining agreement is negotiated for the new bargaining unit 14."

- 4) Amend Section 6 of the legislation to read, "This Act shall take effect on July 1, 2012."

Through a separate bargaining unit, the specialized needs of Ocean and Water Safety Officers, including fitness and equipment requirements, can be directly addressed with the Employer. We believe in the need to improve the compensation, benefits and working conditions and support passage of this legislation, with the proposed package of amendments in its entirety, as delineated above and in the attached proposed H.D. 1.

Respectfully submitted,



for Randy Perreira
Executive Director

FINTestimony

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 27, 2012 5:52 PM
To: FINTestimony
Cc: zach.edlao@co.maui.hi.us
Subject: Testimony for SB2967 on 3/28/2012 3:30:00 PM

Testimony for FIN 3/28/2012 3:30:00 PM SB2967

Conference room: 308
Testifier position: Support
Testifier will be present: No
Submitted by: Zachary Edlao
Organization: Individual
E-mail: zach.edlao@co.maui.hi.us
Submitted on: 3/27/2012

LATE TESTIMONY

Comments:

I am in strong support of the Ocean Safety/Water Safety officers creating their own bargaining unit. We are here everyday, 24/7 to serve the community and visitors who use our beaches. Our lives are on the line everyday for this job. It is time we the Ocean Safety /Water Safety Officers of all Hawaii be recognized as professional rescuers along with our brothers and sisters in the Fire Dept. and Police Dept. to be put in a union that focuses on only what we do. To not have this should be somewhat looked at as unconstitutional at some sort. It is your turn to help us to serve the community and visitors better, by supporting this bill to create a union for what has been overlooked for so long. Mahalo nui loa!