

NEIL ABERCROMBIE
GOVERNOR



LATE TESTIMONY

STATE OF HAWAII
DEPARTMENT OF PUBLIC SAFETY
919 Ala Moana Boulevard, 4th Floor
Honolulu, Hawaii 96814

TED SAKAI
DIRECTOR

Martha Torney
Deputy Director
Administration

Max Otani
Deputy Director
Corrections

Keith Kamita
Deputy Director
Law Enforcement

No. _____

TESTIMONY ON HOUSE BILL 1172, House Draft 1
RELATING TO COLLECTIVE BARGAINING

By
Ted Sakai, Director
Department of Public Safety

House Committee on Finance
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair
Representative Aaron Ling Johanson, Vice Chair

Wednesday, February 20, 2013; 3:30 PM
State Capitol, Conference Room 308

Chair Luke, Vice Chairs Nishimoto and Johanson, and Members of the
Committee:

The Department of Public Safety **supports the intent** of the proposed House Bill 1172, HD1 to establish a collective bargaining unit (BU 14) for state law enforcement officers and state and county ocean safety and water safety officers to be represented by the same exclusive representative.

Incumbents who respond to events that are considered to be public safety and should not be categorized as White Color Workers (BU 03) or White Collar Supervisors (BU 04). These are highly trained and skilled individuals who are placed in harm's way to enforce state laws and protect the public. Their functions and responsibilities are quite distinct from those of other members of BU 03 and BU 04.

We encourage all parties to continue to seek ways to afford due recognition for these highly trained and skilled public safety officers.

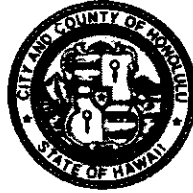
Thank you for the opportunity to testify on this matter.

HONOLULU EMERGENCY SERVICES DEPARTMENT
CITY AND COUNTY OF HONOLULU

3375 KOAPAKA STREET, SUITE H-450 • HONOLULU, HAWAII 96819-1869
Phone: (808) 723-7800 • Fax: (808) 833-3934

LATE TESTIMONY

KIRK CALDWELL
MAYOR



MARK K. RIGG
ACTING DIRECTOR

February 20, 2013

The Honorable Sylvia Luke, Chair
Senate Committee on Judiciary and Labor
House Committee on Finance
The House of Representatives
The Twenty Seventh Legislature
State Capitol
415 South Beretania Street
Honolulu, HI 96813

Dear Chair Luke and Members:

RE: HB 1172, HD 1 RELATING TO COLLECTIVCE BARGAINING

The City & County of Honolulu strongly supports HB 1172, HD 1 which would create a separate bargaining unit (Bargaining Unit 14) for State law enforcement personnel and County Water Safety and Ocean Safety Officers in the State of Hawaii. The City's Ocean Safety and Lifeguard Services Division employs 152 full time Water Safety Officers and 72 part-time, contract hire personnel who provide year round lifeguard services for the island of Oahu.

These ocean safety professionals are highly trained and extremely competent emergency first responders who watch over 15 million beach patrons annually, perform over 1,000 rescues of persons in distress, treat hundreds of serious medical cases, and, most importantly, prevent thousands of potential incidents from occurring by intervening and educating visitors and residents about the potential hazards of our unique aquatic environment.

We consider our Ocean Safety and Lifeguard Services Division to be an integral component of the City & County of Honolulu's public safety team, along with the Honolulu Police Department, the Honolulu Fire Department, and the Emergency Medical Services Division. All personnel in the Ocean Safety Division are certified in Emergency Medical Response, CPR, and Open Water Lifeguarding under auspices of the United States Lifesaving Association, and are required to re-qualify annually by passing a rigorous physical performance test.

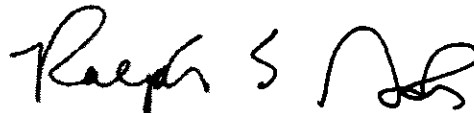
The Revised Charter of the City & County of Honolulu (2006), Section 6-603, defines the role of the Director of Emergency Services regarding ocean safety to: "(1) Be the primary responder to emergencies arising on the beach and in the near shore waters; and (2) Be responsible for ocean safety training, educational, and risk reduction programs relating to ocean safety."

For all intents and purposes, City lifeguards are considered public safety employees, as they are eligible for 25 year retirement benefits, are subject to drug and alcohol testing, and are expected to function as essential employees during emergency situations. However, lifeguards are not properly represented in their current collective bargaining unit (HGEA Unit 3) when negotiating for salaries, benefits, and working conditions.

HB 1172, HD 1 will create a new bargaining unit (14) to represent State law enforcement personnel and County Water Safety / Ocean Safety Officers in the State of Hawaii. The 250 employees of the City & County of Honolulu's Ocean Safety and Lifeguard Services Division strongly support this measure and respectfully ask for your favorable consideration.

Thank you for the opportunity to testify on this important matter. I am available to answer any questions that you may have. Aloha nui loa.

Sincerely,



Ralph S. Goto
Administrator
Ocean Safety and Lifeguard Services



HAWAII GOVERNMENT EMPLOYEES ASSOCIATION
AFSCME Local 152, AFL-CIO

RANDY PERREIRA, Executive Director • Tel: 808.543.0011 • Fax: 808.528.0922

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

Testimony by
Hawaii Government Employees Association
February 20, 2013

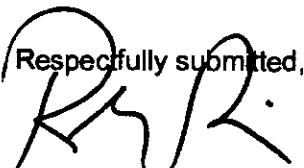
**H.B. 1172 – RELATING
TO COLLECTIVE BARGAINING**

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO strongly supports the purpose and intent of H.B. 1172 which creates a new bargaining unit 14 for state law enforcement officers and state and county ocean safety officers. The creation of a new bargaining unit for Deputy Sheriffs, Conservation and Resource Enforcement (DOCARE) Officers, Harbor Enforcement Officers and State and County Ocean Safety Officers, whose membership would be approximately 700 employees, provides for the most effective and efficient mechanism to address their unique needs.

State law enforcement officers and state and county ocean safety officers currently belong to HGEA's Bargaining Units 03 – White Collar Employees – and 04 – White Collar Supervisors. BU03 is the largest unit among the public sector with approximately 13,000 members. The large size and diverse scope of the professions within BU03 amplifies the complexity of addressing the ever increasing and specialized needs of the state law enforcement officers and state and county ocean safety officers in negotiations. While BU04 has much smaller membership, its contract provisions reflect the BU 03 collective bargaining agreement. These bargaining units were created in the early 1970's with the passage of Chapter 89, HRS and have not been amended since.

Through a separate bargaining unit, the specialized needs of law enforcement and ocean safety officers, such as mandatory trainings and certifications, uniform and equipment allowances, and terms and conditions of employment, can be more directly and uniformly addressed with the Employer. Progress to address their unique needs will continue to stagnate unless these members are in a separate bargaining unit and not enshrouded by the needs of white collar employees. It is important to note that the creation of BU 14 via statute change is a cost-neutral amendment – any and all costs affiliated with the new unit shall be determined by mutual consent of the Employer.

Over time, the functions and structure of government must change to meet current challenges and we must make such changes to best address the needs of our government employees. Thank you for the opportunity to testify in support of the above legislation.

Respectfully submitted,


Randy Perreira
Executive Director

LATE TESTIMONY

The Twenty-Seventh Legislature, State of Hawaii
House of Representatives

Committee on Labor & Public Employment
Rep. Mark M. Nakanishi, Chair
Rep. Mark J. Hashem, Vice Chair

Committee on Public Safety
Rep. Henry J.C. Aquino, Chair
Rep. Kaniela Ing, Vice Chair

February 20, 2013

House Bill 1172 – RELATING TO COLLECTIVE BARGAINING.

New Collective Bargaining Unit 14; First Responders

Thank you for the opportunity to provide testimony in **support of House Bill 1172 HD1 (HSCR 440)**, which will establish a new bargaining unit (14) to represent state law enforcement officers and state and county ocean safety and water safety officers.

This unit will be able to specifically represent and address the unique conditions that these employees work under. Issues include employee health and safety; pay commensurate with the level of skill, training and the complexity of the job; equal enforcement of the contract statewide; and appropriate union representation.

Respectfully Submitted,

Lieutenant Tony Ho
(Ocean Safety Windward)



HAWAIIAN LIFEGUARD ASSOCIATION

LATE TESTIMONY

February 20, 2013

The Honorable Sylvia Luke, Chair, and Members
Committee on Finance
House of Representatives
The Twenty Seventh Legislature
Regular Session of 2013

Dear Chair Luke and Members:

Re: HB 1172, HD1, Relating to Collective Bargaining

The Hawaiian Lifeguard Association (HLA) is the non-profit organization that represents the 400 professional ocean lifeguards in the State of Hawaii. The mission of the HLA is to promote the advancement of professional lifeguarding and to reduce drownings in the ocean surrounding our island state. The HLA attempts to accomplish this mission by supporting the efforts of Hawaii's lifeguards through fundraising and educational programs and by partnering with the government agencies in delivering the statewide Junior Lifeguard Program.

The HLA strongly supports HB 1172, HD1, as it will create a new bargaining unit in the State of Hawaii Collective Bargaining Agreement. Since the inception of the collective bargaining agreement, Water Safety Officers have been included in HGEA Unit 3 (white collar, non supervisory) and Unit 4 (white collar, supervisory). Although this assignment may have been appropriate twenty years ago, we submit to you that in 2013, Water Safety and Ocean Safety Officers in the State of Hawaii are essential public safety employees similar to fire fighters and police officers, and with all due respect, should not have to negotiate contract issues with secretaries and clerical employees in state and county government.

P.O. Box 283324 • Honolulu, Hawaii 96828 • (808) 922-3888
Facsimile (808) 922-0411 • Email: lifeguards@aloha.com

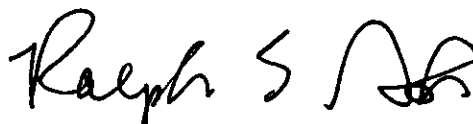
In addition to risking their lives to rescue surfers, swimmers, and unwary visitors in distress in the largest and most dangerous surf conditions in the world, Water Safety and Ocean Safety Officers in Hawaii are highly trained in all areas of emergency response, including medical cases, natural disasters, and search and rescue. They are the only group of public safety employees in the State who must successfully pass an annual physical performance test in order to work on the beach as open water lifeguards.

In conclusion, lifeguards in the State of Hawaii provide an invaluable service to the residents of and visitors to our island paradise. One of the first steps that can be taken to recognize this fact would be to create a separate collective bargaining unit in the Hawaii Government Employees Association (HGEA) that can represent the true public safety nature of their work.

Thank you for the opportunity to present testimony on this very important matter. On behalf of the 400 ocean safety professionals in the State of Hawaii, we urge your favorable disposition of HB 1172, HD 1.

Aloha nui loa.

Sincerely,

A handwritten signature in black ink that reads "Ralph S. Goto". The signature is written in a cursive style with a large, stylized initial "R" and "G".

Ralph S. Goto

For the Board of Directors

LATE TESTIMONY

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 19, 2013 4:11 PM
To: FINTestimony
Cc: cliffdc@hawaii.rr.com
Subject: *Submitted testimony for HB1172 on Feb 20, 2013 15:30PM*

HB1172

Submitted on: 2/19/2013
Testimony for FIN on Feb 20, 2013 15:30PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Cliff Dela Cruz	Hawaii State Sheriff's	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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LATE TESTIMONY

Rep. Sylvia Luke, Chair
Rep. Scott Y. Nishimoto, Vice Chair
Rep. Aaron Ling Johanson, Vice Chair

To whom it may concern,

I wanted to take this opportunity to voice my support for HB 1172. This bill affords state law enforcement officers the opportunity for what I believe is the first time in the states history of a separate bargaining unit dedicated to law enforcement and water safety. Until now state law enforcement has been relegated to bargaining unit 3 with thousands of white collar employees in a unit that has had little to no understanding or appreciation of the job of law enforcement here in Hawaii. Creating a new bargaining unit will be a huge step forward in our ability to address our concerns and create a voice for us that has until now been sorely lacking. I urge all of you to please support us in this matter. Thank you for your time and consideration.

V/r,
Michael Hirst

LATE TESTIMONY

HB1172

Submitted on: 2/19/2013

Testimony for FIN on Feb 20, 2013 15:30PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Alan Leung	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 19, 2013 7:41 PM
To: FINTestimony
Cc: kfkaneohe@aol.com
Subject: Submitted testimony for HB1172 on Feb 20, 2013 15:30PM

LATE TESTIMONY

HB1172

Submitted on: 2/19/2013

Testimony for FIN on Feb 20, 2013 15:30PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Kenneth FINCH	Individual	Support	No

Comments: I support this bill, I am a Deputy Sheriff who is in Bar. unit. 03,unit 03 doesnot meet the needs nor support Law Enforcement.

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finance1-Christie

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 19, 2013 10:25 PM
To: FINTestimony
Cc: johnh2oog@yahoo.com
Subject: Submitted testimony for HB1172 on Feb 20, 2013 15:30PM

LATE TESTIMONY

HB1172

Submitted on: 2/19/2013

Testimony for FIN on Feb 20, 2013 15:30PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
John Hoogsteden	Individual	Support	No

Comments: Please support HB 1172 HD 1.

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To: FINTestimony
Cc: ke519@yahoo.com
Subject: *Submitted testimony for HB1172 on Feb 20, 2013 15:30PM*

LATE TESTIMONY

HB1172

Submitted on: 2/19/2013

Testimony for FIN on Feb 20, 2013 15:30PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Kevin Eckart	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
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Cc: Res1vban@hawaiiintel.net
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LATE TESTIMONY

HB1172

Submitted on: 2/19/2013
Testimony for FIN on Feb 20, 2013 15:30PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Charles Among Jr	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 20, 2013 9:27 AM
To: FINTestimony
Cc: joanmorelock@gmail.com
Subject: Submitted testimony for HB1172 on Feb 20, 2013 15:30PM

LATE TESTIMONY

HB1172

Submitted on: 2/20/2013

Testimony for FIN on Feb 20, 2013 15:30PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Marjorie Morelock	Individual	Support	No

Comments: Hawaii lifeguards are the best

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finance1-Christie

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To: FINTestimony
Cc: morelockmn@gmail.com
Subject: *Submitted testimony for HB1172 on Feb 20, 2013 15:30PM*

LATE TESTIMONY

HB1172

Submitted on: 2/20/2013

Testimony for FIN on Feb 20, 2013 15:30PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Michael Morelock	Individual	Support	No

Comments:

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FINTestimony

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To: FINTestimony
Cc: ltaciii@yahoo.com
Subject: *Submitted testimony for HB1172 on Feb 20, 2013 15:30PM*

HB1172

Submitted on: 2/20/2013

Testimony for FIN on Feb 20, 2013 15:30PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Albert Cummings III	Individual	Support	No

Comments:

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