

**HB 1172**

**LATE TESTIMONY**

# LATE TESTIMONY

## TESTIMONY IN SUPPORT OF HB1172

Shawn H. Tsuha, Sheriff Division Administrator, Sheriff Division

Date: Friday, February 8, 2013

Time: 10:15 A.M.

HB1172

The Honorable Representative Mark M. Nakashima, Chair  
The Honorable Representative Mark J. Hashem, Vice Chair  
COMMITTEE ON LABOR AND PUBLIC EMPLOYMENT

And

The Honorable Representative Henry J.C. Aquino, Chair  
The Honorable Representative Kaniela Ing, Vice Chair  
COMMITTEE ON PUBLIC SAFETY

Dear Representatives,

I respectfully submit this written testimony in strong support of HB1172. As you know, the needs of our ocean and water safety, and law enforcement personnel are unique to their profession of selfless service. Although, most days are routine, these men, and women, are sometimes called to go into harms way in order to save the lives of others. In a worst case scenario they may have to move to the sound of gunfire, a scenario that seems to have become more and more common in our society. It takes a unique individual to go to work everyday knowing that they may be called upon to sacrifice everything they hold dear for a perfect stranger. Please see this bill as a vehicle to provide the equipment, training, and resources so that they can continue to provide for the health, safety and welfare of our communities. I am blessed to have the opportunity to lead the men and women of the Sheriff Division, and join with the Ocean Safety and other State Law Enforcers in imploring you to approve this Bill.

Very Respectfully Yours,

Shawn H. Tsuha

Hawaii State Sheriff

February 7, 2013

**COMMITTEE ON LABOR & PUBLIC EMPLOYMENT**

Rep. Mark M. Nakashima, Chair

Rep. Mark J. Hashem, Vice Chair

**LATE TESTIMONY**

Rep. Henry J.C. Aquino    Rep. Ryan I. Yamane  
Rep. Linda Ichiyama    Rep. Kyle T. Yamashita  
Rep. Kaniela Ing    Rep. Aaron Ling Johanson  
Rep. Roy M. Takumi

**COMMITTEE ON PUBLIC SAFETY**

Rep. Henry J.C. Aquino, Chair

Rep. Kaniela Ing, Vice Chair

Rep. Mark J. Hashem    Rep. Ryan I. Yamane  
Rep. Linda Ichiyama    Rep. Kyle T. Yamashita  
Rep. Mark M. Nakashima    Rep. Bob McDermott  
Rep. Roy M. Takumi

**NOTICE OF HEARING**

DATE: Friday, February 08, 2013

TIME: 10:15 A.M.

PLACE: Conference Room 309

State Capitol

415 South Beretania Street

**A G E N D A**

RELATING TO COLLECTIVE BARGAINING.

LAB/PBS, FIN

Creates a new bargaining unit (14) for first responders, including state law enforcement officers and state and county ocean safety and water safety officers.

Chairs Aquino & Nakashima, Vice Chairs Ing & Hashem and Members:

I'm writing you in support of HB 1172, which would create a separate bargaining unit (Bargaining Unit 14) for Water Safety and Ocean Safety Officers in the State of Hawaii.

I have served as a water safety officer with the County of Hawaii for the past 10 years and strongly believe, that the bargaining unit under which water safety officer's currently fall (HGEA unit #3) does not best serve the needs of our community, nor that of our water safety officers.

Of the approximately 15,000 HGEA unit #3 non-supervisor members, only 2% are water safety officers. The vast majority of Unit #3 are clerical staff. It stands to reason that Water safety officers face risk factors in performing their duties that the majority of unit # 3 members do not. In addition, the recent cost saving measures imposed on HGEA unit #3 members which consist of a 5% pay cut, and the awarding of supplemental time off (hereinafter called STO) to make up for that loss of salary has had a very negative impact on daily operations. Being required to accommodate STO for ocean safety personnel creates a reduction in available personnel to guard the beaches, which in turn poses a risk to the public and ocean safety personnel alike.

The creation of a separate bargaining unit will allow for the drafting of a contract that will create

improved service expectations and recognition for our water safety offices that are comparable to other public safety agencies i.e., Police and Fire Department personnel. There is no other public servant that interacts more directly with the public, on a daily basis, than our water safety officers. Today's water safety officers are highly trained individuals that put themselves in harm's way each day, using specialized life saving equipment and under extreme conditions, to protect the lives of others. Not only are they entrusted with the safety of tens of thousands of patrons each year, and revered as being some of the best watermen in the world but they are also tasked with performing thousands of first aids and preventive safety contacts.

Please give HB 1172 your full consideration as our water safety officers deserve fair negotiations for hazardous wages and for use specialized equipment.

Respectfully,

Joy Mills  
WSO II  
Ocean Safety Division  
Hawaii Fire Department

# LATE TESTIMONY

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 07, 2013 3:01 PM  
**To:** LABtestimony  
**Cc:** phrcbat@yahoo.com  
**Subject:** Submitted testimony for HB1172 on Feb 8, 2013 10:15AM

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

## **HB1172**

Submitted on: 2/7/2013

Testimony for LAB/PBS on Feb 8, 2013 10:15AM in Conference Room 309

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
HENRY BATOON	Individual	Support	No

Comments: Please support HB1172. I am a Deputy Sheriff in Collective Bargaining Unit 03. Bargaining unit 03 is designated for Clerks & Secretaries. I have been a Deputy Sheriff for 30 years and with all due respect to Unit 03 we have to separate from them. We are a First Responding State Law Enforcement Officers, with the same Statutory Authority with a City & County Police Officers and broader jurisdiction through the State. Thank You very much for you Support.

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

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 07, 2013 2:30 PM  
**To:** LABtestimony  
**Cc:** kfkaneohe@aol.com  
**Subject:** Submitted testimony for HB1172 on Feb 8, 2013 10:15AM

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

## **HB1172**

Submitted on: 2/7/2013

Testimony for LAB/PBS on Feb 8, 2013 10:15AM in Conference Room 309

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kenneth FINCH	Individual	Support	No

Comments: My name is Kenneth FINCH and I am submitting testimony in support of senate HB1172. I am a Deputy Sheriff in Collective Bargaining Unit#3. Bargaining Unit#3 is designated for Clerks and Secretaries. I am a State of Hawaii Deputy Sheriff, a First Responding State Law Enforcement Officer, with the same statutory authority of a City and County Police Officer and a broader jurisdiction through out the state of Hawaii Currently, Deputy Sheriffs are in Bargaining Unit#3, for Clerks and Secretaries. Unit#3 does not address our needs as State of Hawaii Law Enforcement Officers. These include specialized training and equipment that are necessary to defend and protect ourselves and the citizens of the State of Hawaii. Unit#3 does not address our unique needs and Law Enforcement Officers. Thank you for your consideration and time.

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# LATE TESTIMONY

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 07, 2013 2:56 PM  
**To:** LABtestimony  
**Cc:** bkadekawa@hotmail.com  
**Subject:** Submitted testimony for HB1172 on Feb 8, 2013 10:15AM

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

## **HB1172**

Submitted on: 2/7/2013

Testimony for LAB/PBS on Feb 8, 2013 10:15AM in Conference Room 309

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Brandon Kadekawa	Individual	Support	No

Comments: I humbly support HB1172.

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# LATE TESTIMONY

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 07, 2013 3:26 PM  
**To:** LABtestimony  
**Cc:** crstine96@gmail.com  
**Subject:** Submitted testimony for HB1172 on Feb 8, 2013 10:15AM

## **HB1172**

Submitted on: 2/7/2013

Testimony for LAB/PBS on Feb 8, 2013 10:15AM in Conference Room 309

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Christine Kadekawa	Individual	Support	No

Comments: I support bill HB1172.

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# LATE TESTIMONY

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 07, 2013 2:42 PM  
**To:** LABtestimony  
**Cc:** kiyabua001@hawaii.rr.com  
**Subject:** Submitted testimony for HB1172 on Feb 8, 2013 10:15AM

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

## **HB1172**

Submitted on: 2/7/2013

Testimony for LAB/PBS on Feb 8, 2013 10:15AM in Conference Room 309

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Arthur M. Kiyabu	Individual	Support	No

Comments: My name is Arthur Kiyabu and I am submitting testimony in support of Senate HB1172. I am a Deputy Sheriff in Collective Bargaining Unit #3. Bargaining Unit #3 is designated for Clerks and Secretaries. I am a State of Hawaii Deputy Sheriff, a First Responding State Law Enforcement Officer, with same statutory authority of a City and County Police Officer and a broader jurisdiction through out the State of Hawaii. Currently, Deputy Sheriffs are in Bargaining Unit #3, for Clerks and Secretaries. Unit #3 does not address our needs as State of Hawaii Law Enforcement Officers. These include specialized training and equipment that are necessary to defend and protect ourselves and the citizens of the State of Hawaii. Unit #3 does not address our unique needs and Law Enforcement Officers Thank you for your consideration and time.

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# LATE TESTIMONY

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 07, 2013 3:53 PM  
**To:** LABtestimony  
**Cc:** johnmccready56@yahoo.com  
**Subject:** Submitted testimony for HB1172 on Feb 8, 2013 10:15AM

**HB1172**

Submitted on: 2/7/2013  
Testimony for LAB/PBS on Feb 8, 2013 10:15AM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
john McCREADY	Individual	Support	No

Comments: My name is Deputy Sheriff John H. McCREADY Jr. I am submitting written testimony in support of senate HB1172. Currently i am in collective bargaining unit #3, which is designated for office clerks and secretaries. This bargaining unit does not provide us, Deputy Sheriffs with the specialized training or special needs that we require to protect the public and ourselves. Please vote in HB1172. Thank you

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# LATE TESTIMONY

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 07, 2013 9:58 PM  
**To:** LABtestimony  
**Cc:** Munroem@hawaii.rr.com  
**Subject:** Submitted testimony for HB1172 on Feb 8, 2013 10:15AM

## **HB1172**

Submitted on: 2/7/2013

Testimony for LAB/PBS on Feb 8, 2013 10:15AM in Conference Room 309

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Michael Munroe	Individual	Support	No

Comments: State Sheriff's have unique needs and requirements relative to law enforcement duties that should not be lumped together in a unit with clerks. It's important to create a separate bargaining unit for just law enforcement, in order to address the specific needs of the Sheriff's department deputies. Thank you for your time and consideration.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 07, 2013 4:12 PM  
**To:** LABtestimony  
**Cc:** setnishi@gmail.com  
**Subject:** \*Submitted testimony for HB1172 on Feb 8, 2013 10:15AM\*

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## **HB1172**

Submitted on: 2/7/2013

Testimony for LAB/PBS on Feb 8, 2013 10:15AM in Conference Room 309

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Sue Nishiguchi	Individual	Support	No

### Comments:

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# LATE TESTIMONY

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 07, 2013 6:38 PM  
**To:** LABtestimony  
**Cc:** Jkredulla@yahoo.com  
**Subject:** \*Submitted testimony for HB1172 on Feb 8, 2013 10:15AM\*

## **HB1172**

Submitted on: 2/7/2013

Testimony for LAB/PBS on Feb 8, 2013 10:15AM in Conference Room 309

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jason Redulla	Individual	Support	No

### Comments:

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## HB1172

Submitted on: 2/7/2013

Testimony for LAB/PBS on Feb 8, 2013 10:15AM in Conference Room 309

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Raymond Schwartz	Individual	Support	No

### Comments:

I am writing this in favor of HB 1172. I believe that this will allow the Law Enforcement sections greatly further the job that we have been entrusted to do. It will allows many related objectives that the Sheriff and Water Safety officers want and need to helping keep this Great and Beautiful State Safe. I believe that this is such an essential move that without it, we are hindering our ability as a law enforcement entity. I humbly ask that you pass this House Bill so that We can work for a better and safer Hawaii.

Sincerely ,

Raymond Schwartz

# LATE TESTIMONY

## HB1172

Submitted on: 2/8/2013

Testimony for LAB/PBS on Feb 8, 2013 10:15AM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
erich	Individual	Support	Yes

### Comments:

I just want to submit testimony regarding HB 1172 that creates a separate bargaining unit for first responders. I think this will be a great thing for those first responder units not part of SHOPO or other separate bargaining units. One of the main reasons we need a separate bargaining unit is that the first responders listed in this bill are currently lumped into bargaining units with clerks and other state office workers. No disrespect to those professions, but the training and services we provide to the public are vital for public safety and we should be judged by that, and funded to meet those needs.

# LATE TESTIMONY

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 07, 2013 4:46 PM  
**To:** LABtestimony  
**Cc:** Dan14975@yahoo.com  
**Subject:** \*Submitted testimony for HB1172 on Feb 8, 2013 10:15AM\*

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## **HB1172**

Submitted on: 2/7/2013

Testimony for LAB/PBS on Feb 8, 2013 10:15AM in Conference Room 309

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Daniel	Individual	Support	No

### Comments:

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# LATE TESTIMONY

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**From:** ano [ano8t6@yahoo.com]  
**Sent:** Thursday, February 07, 2013 2:54 PM  
**To:** LABtestimony  
**Subject:** HB1172

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

I am writing in support of HB1172 which would allow State law enforcement and water safety officers to have their own bargaining unit. By passing this bill not only would you allow proper representation for the brave men and women who risk their lives upholding the law's of Hawai'i. You would also provide a voice to a small but vital group of individuals whose sole purpose is to protect our Ohana and are unique way of life.

Mahalo for your support,

P.H. Ano



**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 Labor and Public Employment  
Committee on Public Safety

Testimony by  
Hawaii Government Employees Association  
February 8, 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, with a proposed amendment for clarification. 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.

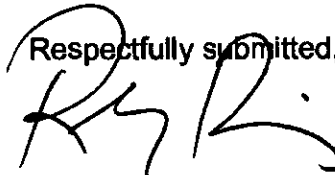
State law enforcement officers and state and county ocean safety officers currently belong to HGEA's Bargaining Units 03 – White Collar Employees – and 04 – White Collar Supervisors. BU03 is the largest unit among the public sector with approximately 13,000 members. The large size and diverse scope of 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.

For clarity on specifically which employees will be affected by the creation of this new unit, we propose that all references to naming the new BU 14 be amended from "first responders including state law enforcement officers and state and county ocean safety and water safety officers" to read "state law enforcement officers and state and county ocean safety and water safety officers."

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 with the proposed amendment.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Randy Perreira". The signature is stylized with a large initial "R" and a long horizontal stroke.

Randy Perreira  
Executive Director