

NEIL ABERCROMBIE  
GOVERNOR



NEIL DIETZ  
CHIEF NEGOTIATOR

**STATE OF HAWAII  
OFFICE OF COLLECTIVE BARGAINING  
EXECUTIVE OFFICE OF THE GOVERNOR  
235 S. BERETANIA STREET, SUITE 1201  
HONOLULU, HAWAII 96813-2437**

January 28, 2013

**TESTIMONY TO THE  
HOUSE COMMITTEE ON FINANCE**

For Hearing on Friday, February 22, 2013  
11:00 a.m., Conference Room 309

BY

NEIL DIETZ  
CHIEF NEGOTIATOR

**House Bill No. 578 HD1  
RELATING TO COLLECTIVE BARGAINING**

TO CHAIRPERSON SYLVIA LUKE AND MEMBERS OF THE COMMITTEE:

Thank you for the opportunity to provide testimony on H.B. No. 578 HD1.

H.B. No. 578 HD1 proposes to make unilateral implementation of a collective bargaining proposal by an employer or exclusive representative a prohibited practice in accordance with Hawaii Revised Statutes §89.

The Office of Collective Bargaining respectfully opposes this bill to the extent that it interferes with the Employer's rights and obligations as currently outlined in Hawaii Revised Statutes §89. Hawaii Revised Statutes §89-11(d)(4) provides "After the fiftieth day of impasse, the parties may resort to such other remedies that are not prohibited by any agreement pending between them, other provisions of this chapter, or any other law." The Office of Collective Bargaining maintains that the unilateral implementation of a collective bargaining proposal by an employer is permitted in accordance with those terms.

Further, and especially in the case when arbitration is not provided as a dispute resolution, the unilateral implementation of a collective bargaining proposal by an employer is a recognized labor relations tool. Although applied infrequently, it is a tool used by employers to counter balance the employees' right to strike. To prohibit this generally accepted practice weighs the balance of labor relations clearly on the side of the exclusive representative. And in the specific case of public employment, H.B. No. 578 HD1 as proposed could prevent the employer from maintaining public services required of the government.

Unilateral implementation is not explicit proof, in and of itself, of bad faith bargaining. In the private sector, unilateral implementation of collective bargaining terms is an accepted practice, if in short, an impasse exists in bargaining and the parties have engaged in good faith bargaining. H.B. No. 578 HD1 as proposed would make the result (i.e. unilateral implementation) proof of bad faith bargaining in and of itself even if other generally accepted requirements are met prior to any unilateral implementation.

Although H.B. No. 578 HD1 as proposed would apply to both the employer and the exclusive representative, the real world application would apply to the employer. Thus, even if the employer complied with all the commonly accepted requirements to unilaterally implement collective bargaining terms, H.B. No. 578 HD1 would make that employer statutorily guilty of bad faith bargaining.

If the Committee's concern is to continue to ensure the parties engage in good faith bargaining, the requirement to bargain in good faith is present long before any terms could be unilaterally implemented. Hawaii Revised Statutes §89 already requires the parties to engage in good faith bargaining. In a case of unilateral implementation, if the moving party does not engage in good faith bargaining, it is doubtful unilateral implementation would withstand legal challenge.

Therefore, Hawaii Revised Statutes §89 already adequately addresses the requirement that public employers and exclusive representatives bargain in good faith. H.B. No. 578 HD1 does not further that requirement. The Office of Collective Bargaining respectfully recommends that you do not approve the terms of H.B. No. 578 HD1.



**TESTIMONY OF  
THE DEPARTMENT OF THE ATTORNEY GENERAL  
TWENTY-SEVENTH LEGISLATURE, 2013**

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**ON THE FOLLOWING MEASURE:**

H.B. NO. 578, H.D. 1, RELATING TO COLLECTIVE BARGAINING.

**BEFORE THE:**

HOUSE COMMITTEE ON FINANCE

**DATE:** Friday, February 22, 2013

**TIME:** 11:00 a.m.

**LOCATION:** State Capitol, Room 308

**TESTIFIER(S):** David M. Louie, Attorney General, or  
James E. Halvorson, Deputy Attorney General

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Chair Luke and Members of the Committee:

The Department of the Attorney General strongly opposes this bill.

This bill proposes to make unilateral implementation of a collective bargaining proposal by an employer or exclusive representative a prohibited practice in accordance with chapter 89 of the Hawaii Revised Statutes (HRS).

Making unilateral implementation of the employer's last, best, and final offer a prohibited practice is contrary to the current provisions of chapter 89. Chapter 89 governs the collective bargaining laws in Hawaii and requires the employer and the exclusive representative to negotiate in good faith with respect to wages, hours, the amounts of contributions to the EUTF, and other terms and conditions of employment. Section 89-9(a), HRS, does not, however, mandate that either party agree to a proposal or make a concession. Therefore, once the parties have reached an impasse in bargaining, section 89-11(d), HRS, specifically provides that the parties may use other legal remedies:

After the fiftieth day of impasse, *the parties may resort to such other remedies* that are not prohibited by any agreement pending between them, other provisions of this chapter, or any other law.

Section 89-11(d)(4), HRS (emphasis added). Thus, under the above provision, bargaining units that have the statutory right to strike can resort to a strike after impasse. On the other hand, the employer's recourse includes the implementation of its pre-impasse proposals. An employer's right to impose a last, best, and final offer after impasse is well-recognized in federal law. This specifically serves as a counterweight to the unions' right to strike. In the seminal case N.L.R.B.

v. Katz, 369 U.S. 736, 745 (1962), the U.S. Supreme Court held that, after impasse, the employer is free to unilaterally impose terms reasonably encompassed in bargaining proposals already rejected by the union, because at that point the employer has exhausted its statutory duty to bargain. The Legislature clearly would have intended to provide the same remedy to Hawaii's public employers when it authorized the use of "other remedies" not prohibited by law in section 89-11(d)(4). See Sen. Stand. Comm. Rep. No. 2394, in 2002 Sen. Journal at 1194, 1195 (noting that addition of "other remedies" provision allows the "parties [to] resort to economic self-help or other tactics[.]").

Further, the practical impact of taking this counterweight option away from the employer is that the employer is left without any reasonable method of breaking the impasse, thereby encouraging the union to simply stall. In times of severe budget shortfalls, this would require the employer to resort to more drastic measures such as layoffs.

Finally, we have serious concerns regarding the constitutional impact this bill will have on expenditure controls and separation of powers. Specifically, this bill limits the ability of the Governor to implement cost-item proposals necessary to achieve a balanced budget. The budget process is governed by both the Hawaii Constitution and statutory law. "No public money shall be expended except pursuant to appropriations made by law." Haw. Const. Art. VII, § 5. Under the constitution, the Governor must submit annual budgets, including "proposed expenditures" and "anticipated receipts[.]" Haw. Const. Art VII, § 8. This includes identifying "any recommended additional revenues or borrowings by which the proposed expenditures are to be met." Id. Revenue estimates must be based on the projections provided by the Council on Revenues. Haw. Const. Art. VII, § 7 ("The estimates shall be considered by the governor in preparing the budget, recommending appropriations and revenues and controlling expenditures. The estimates shall be considered by the legislature in appropriating funds and enacting revenue measures."). The constitution further requires that "[g]eneral fund expenditures for any fiscal year *shall not exceed* the State's current general fund revenues and unencumbered cash balances, except when the governor publicly declares the public health, safety or welfare is threatened[.]" Haw. Const. Art VII, § 5 (emphasis added). These provisions require the Governor to balance the budget. Board of Educ. v. Waihee, 70 Haw. 253, 256, 768 P.2d 1279, 1281 (1989) ("general fund expenditures exceeding the State's current general fund revenues and unencumbered cash

balances are interdicted by the State Constitution[.]”). Thus, limiting the ability of the Governor to implement cost-item proposals necessary to balance the budget is an impingement on his constitutional duties.

We respectfully ask this Committee to hold this bill.

TESTIMONY BY KALBERT K. YOUNG  
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE  
STATE OF HAWAII  
TO THE HOUSE COMMITTEE ON FINANCE  
ON  
HOUSE BILL NO. 578, H.D. 1

February 22, 2013

RELATING TO COLLECTIVE BARGAINING

House Bill No. 578, H.D. 1, amends Section 89-13, HRS, to prohibit a public employer from implementing or attempting to implement any term of a collective bargaining proposal without the agreement of the exclusive representative and prohibits an employee or an employee organization or its designated agent from implementing or attempting to implement any term of a collective bargaining proposal without the agreement of the employer.

The Department of Budget and Finance opposes this bill. Unilateral implementation can be an important tool for the employer. As evidenced during the last economic down-cycle and period of recession when savings are critically necessary to maintain operations and the employee representative's tactics to stall negotiations thwarted realization of savings, implementing terms in such cases are preferable to other alternatives such as employee layoffs or shut-down of government operations.

If the Committee's concern is to continue to ensure the parties engage in good faith bargaining, the requirement to bargain in good faith is present long before any terms could be unilaterally implemented. Section 89-13, HRS, already requires the parties to engage in good faith bargaining. In a case of unilateral implementation, if the moving party does not engage in good faith bargaining, it is doubtful unilateral implementation would withstand legal challenge.

REVISED

Written Only

NEIL ABERCROMBIE  
GOVERNOR



KATHRYN S. MATAYOSHI  
SUPERINTENDENT

STATE OF HAWAII  
DEPARTMENT OF EDUCATION  
P.O. BOX 2360  
HONOLULU, HAWAII 96804

**Date:** 02/22/2013

**Committee:** House Finance

**Department:** Education

**Person Testifying:** Kathryn S. Matayoshi, Superintendent of Education

**Title of Bill:** HB 0578,HD1(hscr143) RELATING TO COLLECTIVE BARGAINING.

**Purpose of Bill:** Prohibits: (1) a public employer from wilfully implementing or attempting to implement any term of a collective bargaining proposal without the exclusive representative's agreement; and (2) a public employee or employee organization from wilfully implementing or attempting to implement any term of a collective bargaining proposal without the employer's agreement. Effective January 1, 2113. (HB578 HD1)

**Department's Position:**

The Department of Education opposes H.B. No. 0578, which seeks to make unilateral implementation of a collective bargaining proposal a prohibited practice. Unilateral implementation is a process that is used throughout the nation when the parties reach impasse in bargaining. To remove it as an option would interfere with the rights available under HRS, Chapter 89.



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Tel: (808) 833-2711 λ Fax: (808) 839-7106 λ Web: www.hsta.org

**Wil Okabe**  
President

**Joan Kamila Lewis**  
Vice President

**Colleen Pasco**  
Secretary-Treasurer

**Alvin Nagasako**  
Executive Director

## TESTIMONY BEFORE THE HOUSE COMMITTEE ON FINANCE

DATE: FRIDAY, FEBRUARY 22, 2013

RE: H.B. 578 – RELATING TO COLLECTIVE BARGAINING

PERSON TESTIFYING: WIL OKABE, PRESIDENT  
HAWAII STATE TEACHERS ASSOCIATION

To the Honorable Chair Luke and Members of the Committee:

The Hawaii State Teachers Association (HSTA) **strongly supports H.B. 578** which prohibits: (1) a public employer from willfully implementing or attempting to implement any term of a collective bargaining proposal without the exclusive representative's agreement; and (2) a public employee or employee organization from willfully implementing or attempting to implement any term of a collective bargaining proposal without the employer's agreement.

HSTA is the exclusive representative of more than 12,500 public and charter school teachers statewide. As the state affiliate, of the 2.2 million member National Education Association, HSTA has been adversely affected by the Department of Education's (Department) Last, Best and Final Offer (LBFO) whereas the employer willfully implemented, without any regard to Hawaii Revised Statute, §Chapter 89-13, "Prohibited Practice and Evidence of Bad Faith" bargaining.

In 2011, the State of Hawaii (State) walked away from the table 10 days before the contract ended and implemented "its last, best, and final offer". Prior to the expiration of the 2009-2011 contract, it was the first time in Hawaii's history for the State to unilaterally imposed the contract of a 1.5% salary cut, a 10% increase in employer/employee contributions, in addition to slashing pay for some instructional days. It was also the first time a State Department willfully and knowingly undervalued, disrespected, and lost the trust of good faith bargaining.

The HSTA believes that the LBFO is unlawful, however, since the Hawaii Labor Relations Board (HLRB) has taken years and it is unclear how much longer they will take to render its decision on this issue, the language in this bill will provide clarification that the employer will need to honor and maintain the existing terms of the collective bargaining agreement.



HSTA believes in the collective bargaining process whereby the employer and the employee's organization works out an agreement and mutually agrees on a contract. As such, HSTA **strongly supports H.B. 578** to ensure that no other employee organization will be forced into an illegal and lengthy battle with its employer and that moving forward; the employer cannot implement an LBFO to any employee without the mutual agreement from the employee organization.

Thank you for the opportunity to testify.

## **FINTestimony**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 20, 2013 9:37 PM  
**To:** FINTestimony  
**Cc:** coreyrosenlee@gmail.com  
**Subject:** Submitted testimony for HB578 on Feb 22, 2013 11:00AM

### **HB578**

Submitted on: 2/20/2013

Testimony for FIN on Feb 22, 2013 11:00AM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Corey Rosenlee	Hawaii Teachers Work to the Rules	Support	No

Comments: Our organization supports this bill. The implementation of LBFOs undermines the whole process of collective bargaining and denies unions the ability to negotiate in good faith.

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46-063 Emepela Pl. #U101 Kaneohe, HI 96744 · (808) 679-7454 · Kris Coffield · Co-founder/Legislative Director

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**TESTIMONY FOR HOUSE BILL 578, HOUSE DRAFT 1, RELATING TO  
COLLECTIVE BARGAINING**

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

**Friday, February 22, 2013, 11:00 AM  
State Capitol, Conference Room 308**

Honorable Chair Luke and committee members:

I am Kris Coffield, representing the IMU Alliance, a nonpartisan political advocacy organization that currently boasts over 150 local members. On behalf of our members, we offer this testimony in strong support of HB 578, relating to collective bargaining.

Since July 1, 2011, local teachers have been working under an imposed “last, best, final” offer. According to the terms of this “contract” (if one can call it that), teachers, like other bargaining units, have continued to take a 5 percent pay cut, as well as a 50/50 healthcare premium split. Problematically, teachers were notified of LBFO implementation as of June 29, 2011, several days prior to the negotiations deadline a deal covering the school years falling between fall of 2011, to spring of 2013. Not surprisingly, HSTA (bargaining unit 5) filed a complaint with the Hawaii Labor Relations Board, which subsequently vetted the case over a period of ten months. From the outset, the board's prospective decision was viewed as significant in that it will likely determine the legality of LBFO implementation, something that current collective bargaining statutes do not address and, therefore, tacitly permit.

Whether or not one believes the tenets of the state's imposed LBFO to be meritorious, the issue of whether or not unilateral imposition of contractual terms is legal has yet to be resolved. It has been approximately nine months since the final HLRB hearing on HSTA's complaint, yet no resolution appears imminent. Without question, the state's unilateral contractual gesture has clouded ongoing negotiations over BU-5's next contract and contributed to a culture of fear regarding state-sanctioned education initiatives, like the state's forthcoming “educator effectiveness system” (teacher evaluations)—the latter because evaluations remain a critical and controversial component of negotiations, since, to this day, no legal link exists to connect teacher evaluations to salary enhancements and reemployment rights. We believe that educators are at

their best when their already stressful working environment—compounded by being overworked for less pay than their national peers, unruly students, and endless reform programs—is eased as much as possible, allowing for comfortable interactions between teachers, students, administrators, and other education professionals. Teachers' working environment doubles as students' learning environment, after all, and both are concurrently improved by an emphasis on fostering trust and respect.

If lawmakers want to encourage teachers to “buy in” to the state's reform efforts, then they should amend Chapter 89's list of prohibited practices to preclude implementation of any part of a collective bargaining proposal without the consent of all parties involved in negotiations, as this bill does. In other words, policymakers should illegalize unilateral imposition of LBFOs. In this way, legislators can safeguard against the wholesale erosion of teachers' rights through imposed contract terms, like the elimination of tenure, institution of unfunded mandates, further wearing away of teacher pay relative to Hawaii's high cost-of-living, or deployment of an EES with limited recourse to grievance protocols for adverse or unfair evaluations. While these items may seem farfetched under an Abercrombie administration, we cannot predict who may help the ship of state in the future and, thus, must protect against abuses of power and sweeping acts of executive privilege.

On a philosophical note, what is the point of collective bargaining if, at the end of the day, the state can impose whatever terms it wishes? Answer: There would be no point, if that were to continue being the case. The state could, in theory, drag out negotiations with any labor group until the deadline for a new contract has nearly passed, then put in place whatever contractual terms it favors. Such a dictatorial system disincentivizes negotiating from the state's side of the table; bargaining units would face increased pressure to strike, sacrifice the right to strike for binding arbitration, or accept salary and medical premium reductions, as well as less favorable working conditions. Collective bargaining exists to protect the interests and quality of life of the state's employees from being slashed and burned at the whim of politicians. Single-party implementation of LBFOs, on the other hand, undermines collective bargaining protections by vesting the state with the power to make labor decisions without the consent of employees and, in theory, unravel employment protections for which state workers have struggled for decades to obtain.

Mahalo for the opportunity to testify in strong support of this bill.

Sincerely,  
Kris Coffield  
*Legislative Director*  
IMUAlliance

## FINTestimony

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 20, 2013 11:03 PM  
**To:** FINTestimony  
**Cc:** shannonkona@gmail.com  
**Subject:** \*Submitted testimony for HB578 on Feb 22, 2013 11:00AM\*

### **HB578**

Submitted on: 2/20/2013

Testimony for FIN on Feb 22, 2013 11:00AM in Conference Room 308

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

#### Comments:

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## FINTestimony

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 21, 2013 2:45 PM  
**To:** FINTestimony  
**Cc:** nalani\_thielk@notes.k12.hi.us  
**Subject:** \*Submitted testimony for HB578 on Feb 22, 2013 11:00AM\*

### **HB578**

Submitted on: 2/21/2013

Testimony for FIN on Feb 22, 2013 11:00AM in Conference Room 308

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

#### Comments:

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Testimony in support of HB 578

This is a very important bill to me as a teacher and to all public service employees who participate in collective bargaining. It is unacceptable for either party in collective bargaining to have the ability to impose a contract without agreement because it completely defeats the purpose of collective bargaining. Having to work under a last, best, final offer contract for the past year has made me feel disrespected and unappreciated. If collective bargaining is not successful, it is important that the proper avenues are followed to arrive at a fair contract for both parties. Last, best, final offers should not be an option and this should be written into law.

Winter Leuteneker  
Special Education Teacher  
Pukalani Elementary School

Testimony in support of HB 578

This is a very important bill to me as a teacher and to all public service employees who participate in collective bargaining. It is unacceptable for either party in collective bargaining to have the ability to impose a contract without agreement because it completely defeats the purpose of collective bargaining. Having to work under a last, best, final offer contract for the past year has made me feel disrespected and unappreciated. If collective bargaining is not successful, it is important that the proper avenues are followed to arrive at a fair contract for both parties. Last, best, final offers should not be an option and this should be written into law.

Krista Schmidt  
First Grade Teacher  
Pukalani Elementary School



## **FINTestimony**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 21, 2013 2:06 PM  
**To:** FINTestimony  
**Cc:** njones@pet360.com  
**Subject:** Submitted testimony for HB578 on Feb 22, 2013 11:00AM

### **HB578**

Submitted on: 2/21/2013

Testimony for FIN on Feb 22, 2013 11:00AM in Conference Room 308

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

Comments: It must never be allowed that a bargaining party in power can discard another party's right to collectively bargain. A contract negotiation is just that - a negotiation between two parties. One can not mandate a resolution on the other. Ever.

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## **FINTestimony**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 21, 2013 12:14 PM  
**To:** FINTestimony  
**Cc:** aasn@yahoo.com  
**Subject:** Submitted testimony for HB578 on Feb 22, 2013 11:00AM

### **HB578**

Submitted on: 2/21/2013

Testimony for FIN on Feb 22, 2013 11:00AM in Conference Room 308

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

Comments: To Whom It May Concern: Please consider passing this bill. In order for employees to be fairly represented, we must have the ability to participate in the terms of our employment. It is crucial for professionals to be treated as such and have a voice in the terms of their employment. With respect, Alicia Jacobson

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**Vanessa Ott**

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facebook id: Miz Ott

February 21, 2013

**TESTIMONY RE: HB 578, RELATING TO COLLECTIVE BARGAINING**

**Hearing Date:** Friday, February 22, 2013 – 11:00 AM

**To: House Committee on Finance**

Honorable Members of the House Committee on Finance:

I encourage you to support HB 578 to strengthen the intent of HRS 89-11 and HRS 89-13. Delaying resolution of collective bargaining negotiations is costly. The protracted legal battle resulting from the Governor's imposition of a Last Best and Final Offer on Hawai'i teachers is expensive. Aside from the expense, the delays to a speedy resolution are unjust.

Under existing statutes, the Last Best and Final Offer imposed on our Hawai'i public school teachers never should have happened. Apparently the language of HRS 89 is not clear enough to ensure that collective bargaining proceeds properly and fairly. HB 578 is intended to remedy this. Therefore, I support the intent of HB 578 and ask you to do the same.

Thank you,

Vanessa Ott

Thursday, February 21, 2013

Dear Gov. Abercrombie,

My name is Kayla O'Connell, I am writing to inform you on my support for HB578. As a recent graduate of James Campbell High School class of 2011, and now a sophomore at Saint Louis University, I am a prime example of the dedication and hard work from my high school teachers and the staff of JCHS. As a first generation college student, my teachers Dr. Tammy Jones, William Braitsch, Ken Everett, Cory Rosenlee, Ann Tanaka, Tyrone Horrace, Kin Shing Cheng, Glen Water, Zerrick Jackson, Justin Delos Reyes, Jienna Marquez, Lisa Rodvien, April Hosino, and countless other teachers have played a significant role both inside and outside of the classroom. It was their genuine compassion to help me succeed that has got me where I am today.

Governor Abercrombie, I urge you to give support to Hawaii's education especially its teachers and staff members. Education should be top priority above no other; for education is powerful it sets free the chains of poverty. As a first generation college student, my teachers worked endlessly with me to make sure I had the right tools for college. From writing letters of rec, editing my personal statement, and being my biggest fan on days that were rough. Still to this day even after graduation my teachers stay in contact with me, check up on me and make sure that I am succeeding. You see teachers are much more than teachers, they are a compass. They lead us into the right direction, if we get lost they help us find our way back, and most importantly they leave in imprint on us that guides us for the rest of our lives. Education is the only way to eradicate poverty and end ignorance. How are you helping to create better leaders for the future? You need to recognize that these teachers are the key to success. Is it too much to ask for basic humanity, that teachers can make a wage that they can survive on? The cost of living in Hawaii is expensive especially to those who have a family as well as teachers who have

Thursday, February 21, 2013

student loans. It is not fair or moral to expect teachers to work below their means. Shame on you Governor, for putting the education of Hawaii at risk, for forgetting the very platform you claimed while campaigning. If it were not for my teachers, I would not be here. It is unfair that you take away the opportunities for other children by limiting education. So that these kids will be sucked into the life of a working in the tourism industry, working basic jobs making them scrape by?

You are not from Hawaii Governor, you are not from poverty. You Governor are already considered privileged; you are Caucasian, a male, and educated. We are the children of Hawaii, born and bred into a lifestyle of poverty. Why do you think the privileged send their children to private schools in Hawaii? I was the only one out of nine students admitted to the class of 2015 at Saint Louis University that had attended and graduated from a public high school. Why is that Governor? It is because public school children are less likely to attend a university outside of the state, because public school graduates are more likely not to graduate from a four year college, and it is because the lack of care by the government to provide a quality education for its children. If you do not care for its teachers then you do not care for its students. You are failing Hawaii.

Sincerely,

Kayla O'Connell

## **FINTestimony**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 21, 2013 7:06 AM  
**To:** FINTestimony  
**Cc:** Soconn02@saintmarys.edu  
**Subject:** Submitted testimony for HB578 on Feb 22, 2013 11:00AM

### **HB578**

Submitted on: 2/21/2013

Testimony for FIN on Feb 22, 2013 11:00AM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Shayla O'Connell	Individual	Support	No

Comments: I wouldn't be where I am today without my incredible teachers. And if we don't stand up for simple things like fair contracts for teachers than we'd be losing so much more. I may be done with the public school system but the people in my community are the ones that I care about the kids that might not be lucky enough to have the amazing teachers I've had because they were forced to move away because the cost of living is rising but their pay isn't.

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## **FINTestimony**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 21, 2013 5:26 AM  
**To:** FINTestimony  
**Cc:** oscarramiscal@yahoo.com  
**Subject:** Submitted testimony for HB578 on Feb 22, 2013 11:00AM

### **HB578**

Submitted on: 2/21/2013

Testimony for FIN on Feb 22, 2013 11:00AM in Conference Room 308

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

Comments: I am in full support of this bill to end all unfair practices by any state or public employer to mandate contracts when a collective bargaining structure is in place. There is no system of checks and balances ensure fairness in the current process. 'Last Best and Final Offer' and 'Most Favor Nations' clauses show the imbalances in what is supposedly a Democratic system. Pass this bill and support the hard working people in the State of Hawaii.

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## FINTestimony

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 21, 2013 2:48 AM  
**To:** FINTestimony  
**Cc:** Ersmith30@hotmail.com  
**Subject:** Submitted testimony for HB578 on Feb 22, 2013 11:00AM

### **HB578**

Submitted on: 2/21/2013

Testimony for FIN on Feb 22, 2013 11:00AM in Conference Room 308

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

Comments: I ask that collective bargaining be respected by passage of this into law. Thank you, Erich Smith

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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## FINTestimony

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 20, 2013 10:20 PM  
**To:** FINTestimony  
**Cc:** dubieldesign@hotmail.com  
**Subject:** Submitted testimony for HB578 on Feb 22, 2013 11:00AM

### **HB578**

Submitted on: 2/20/2013

Testimony for FIN on Feb 22, 2013 11:00AM in Conference Room 308

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

Comments: Please support this bill. I have suffered--\$10,000 of my wages have been unvoluntarily contributed to the State's General Fund. Booooo. This is not right. Too much power in the hands of tyrants who are out for short-term gains. Our state, its lands and people, deserve better. Please represent your constituents.

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My name is Michael Fricano II. I am an educator at a public elementary school in Hawaii and have been teaching for almost 6 years. I am submitting testimony in support of this bill because I feel that the LBFO that Governor Abercrombie imposed on teachers of Hawaii was unfair and unconstitutional. Who is the governor to claim that the parties involved have reached an impasse in negotiations? Is it not the responsibility of the governor to make that decision, therefore it should not be allowed for a government leader to impose a contract on it's employees without following our state constitution and our laws. Although I have to say in terms of Governor Abercrombie's LBFO, this is simply a matter of being unconstitutional. If a decision by the governor is in direct conflict with our state constitution, it should simply not be allowed to happen.

## FINTestimony

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 20, 2013 9:48 PM  
**To:** FINTestimony  
**Cc:** mrwalje@hotmail.com  
**Subject:** Submitted testimony for HB578 on Feb 22, 2013 11:00AM

### **HB578**

Submitted on: 2/20/2013

Testimony for FIN on Feb 22, 2013 11:00AM in Conference Room 308

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

Comments: Aloha, I support HB578 which will eliminate the possibility of last, best final offers. It is absolutely despicable that the Governor has the power to implement such offer onto the teachers of Hawaii. Furthermore, the fact that the Labor Board can simply "wait it out" and not rule on HSTA's case is even worse. It should have never been allowed to get to this point. Now is the time to prevent this from happening again. Hawaii teachers are continuing to suffer, even two years after LBFO. Please correct this problem.

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.

Do not reply to this email. This inbox is not monitored. For assistance please email [webmaster@capitol.hawaii.gov](mailto:webmaster@capitol.hawaii.gov)

## FINTestimony

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 20, 2013 9:07 PM  
**To:** FINTestimony  
**Cc:** dkeikoa@hawaii.rr.com  
**Subject:** Submitted testimony for HB578 on Feb 22, 2013 11:00AM

### **HB578**

Submitted on: 2/20/2013

Testimony for FIN on Feb 22, 2013 11:00AM in Conference Room 308

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

Comments: Please move this forward so that it can become law in Hawaii. In a state as union-friendly as we are, it is a shame that our Democratic governor chose an unprecedented move to get his way, an imposition of a Last (not best) Final Offer before negotiations had run its course. Even our Republican Gov Lingle did not have the gall to do that. Please uphold the principles which permeate through Chapter 89 and the Hawaii State Constitution, that a more productive public workforce is better served by following established collective bargaining protocols. We have been unjustly treated under this LFO. It has been a period of uncertainty and stress. Please help move the state back to a sense of fairness and justice and support HB 578.

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.

Do not reply to this email. This inbox is not monitored. For assistance please email [webmaster@capitol.hawaii.gov](mailto:webmaster@capitol.hawaii.gov)

Testimony in SUPPORT of HB 548  
Submitted by- Doug Robertson

My name is Doug Robertson and I am a fourth grade teacher at Kaleiopuu Elementary School in Waipahu. I am testifying in support HB 548. As a teacher, the implementation of a Last Best and Final Offer by the Governor was a crushing and demoralizing demonstration of his lack of good faith bargaining. It sent a clear message to teachers and union members across our island that if things weren't going the way the Governor wanted in negotiations he would and could stop them in their tracks and simply impose his will on the people. I have been working without a contract for nearly two years, and in that time the Governor has not shown any inclination towards bargaining for a fair and reasonable settlement. And why should he? He has shown the willingness and ability to impose his will on the workers of Hawaii. He doesn't have to negotiate. He doesn't have to compromise. All that has to happen is the willful imposition of terms, leaving the employees with no recourse or option. This is not fair, this is not right. This destroys moral in the workforce and confidence in the Governor's ability to lead and listen to opinions different from his own.

HB 548 is important because it means that both parties in a labor dispute must work together to solve their problems without a severe power imbalance. The passage of this bill will help ensure that no labor union will again have to fight with the State of Hawaii for their rights like the teachers are fighting now. Passage of this bill will demonstrate that the legislature believes bargaining, compromise and discussion take precedence over the strong-arming of constituents.

Thank you for your time.

## FINTestimony

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**From:** justindelosreyes@gmail.com  
**Sent:** Thursday, February 21, 2013 6:20 PM  
**To:** FINTestimony  
**Subject:** Support Hawaii's collective bargaining process

Justin Delos Reyes  
95-1155 Wikao St.  
Mililani, HI 96789-3992

February 21, 2013

House Finance Committee  
HI

Dear House Finance Committee:

I am a teacher at James Campbell High school and would like to ask you to support HB578.

HB578 Prohibits: (1) a public employer from wilfully implementing or attempting to implement any term of a collective bargaining proposal without the exclusive representative's agreement; and (2) a public employee or employee organization from wilfully implementing or attempting to implement any term of a collective bargaining proposal without the employer's agreement.

Historically, teachers have used the collective bargaining process to collaborate on supports for quality education and to improve teaching and learning conditions. Those positive gains are reflected in our master agreement.

However, in June 2011, instead of working together, the State walked away from the bargaining table 10 days before the contract ended and implemented its last, best final offer. It is disheartening to see that the employer submitted legislative testimony this year stating that they continue to view implementation of any term of a collective bargaining proposal as an important tool.

Student learning and education are the priority of every teacher. Despite the adverse treatment teachers are living under since the unilaterally imposed contract, teachers are focused in their classrooms and put student learning first every day. Often times, this means working beyond the school day and paying for student materials and supplies out of pocket.

Please give teachers a voice in the classroom and allow us to continue to advocate for students and education through the collective bargaining process by voting YES on HB578. Your assistance offers comfort and supports me as I continue to focus on my classroom and the needs of my students. materials and supplies out of pocket. &#8232;&#8232; &#8232;&#8232;

Sincerely,

Justin Delos Reyes

## FINTestimony

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**From:** lonnady@gmail.com  
**Sent:** Thursday, February 21, 2013 6:06 PM  
**To:** FINTestimony  
**Subject:** Support Hawaii's collective bargaining process

Donna Lyn Baguio  
1637 Pohaku Street  
Honolulu, HI 96817-2060

February 21, 2013

House Finance Committee  
HI

Dear House Finance Committee:

I am a teacher at Waipahu Intermediate School and would like to ask you to support HB578.

HB578 Prohibits: (1) a public employer from wilfully implementing or attempting to implement any term of a collective bargaining proposal without the exclusive representative's agreement; and (2) a public employee or employee organization from wilfully implementing or attempting to implement any term of a collective bargaining proposal without the employer's agreement.

Historically, teachers have used the collective bargaining process to collaborate on supports for quality education and to improve teaching and learning conditions. Those positive gains are reflected in our master agreement.

However, in June 2011, instead of working together, the State walked away from the bargaining table 10 days before the contract ended and implemented its last, best final offer. It is disheartening to see that the employer submitted legislative testimony this year stating that they continue to view implementation of any term of a collective bargaining proposal as an important tool.

Student learning and education are the priority of every teacher. Despite the adverse treatment teachers are living under since the unilaterally imposed contract, teachers are focused in their classrooms and put student learning first every day. Often times, this means working beyond the school day and paying for student materials and supplies out of pocket.

Please give teachers a voice in the classroom and allow us to continue to advocate for students and education through the collective bargaining process by voting YES on HB578. Your assistance offers comfort and supports me as I continue to focus on my classroom and the needs of my students. materials and supplies out of pocket. &#8232;&#8232; &#8232;&#8232;

Sincerely,

Donna Lyn Baguio

## FINTestimony

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**From:** cskrim@gmail.com  
**Sent:** Thursday, February 21, 2013 6:06 PM  
**To:** FINTestimony  
**Subject:** Support Hawaii's collective bargaining process

Colleen Skrimstad  
3055 Puiwa LN  
Honolulu, HI 96817-1126

February 21, 2013

House Finance Committee  
HI

Dear House Finance Committee:

I am a teacher at Nuuanu school and would like to ask you to support HB578.

HB578 Prohibits: (1) a public employer from wilfully implementing or attempting to implement any term of a collective bargaining proposal without the exclusive representative's agreement; and (2) a public employee or employee organization from wilfully implementing or attempting to implement any term of a collective bargaining proposal without the employer's agreement.

Historically, teachers have used the collective bargaining process to collaborate on supports for quality education and to improve teaching and learning conditions. Those positive gains are reflected in our master agreement.

However, in June 2011, instead of working together, the State walked away from the bargaining table 10 days before the contract ended and implemented its last, best final offer. It is disheartening to see that the employer submitted legislative testimony this year stating that they continue to view implementation of any term of a collective bargaining proposal as an important tool.

Student learning and education are the priority of every teacher. Despite the adverse treatment teachers are living under since the unilaterally imposed contract, teachers are focused in their classrooms and put student learning first every day. Often times, this means working beyond the school day and paying for student materials and supplies out of pocket.

Please give teachers a voice in the classroom and allow us to continue to advocate for students and education through the collective bargaining process by voting YES on HB578. Your assistance offers comfort and supports me as I continue to focus on my classroom and the needs of my students. materials and supplies out of pocket. &#8232;&#8232; &#8232;&#8232;

Sincerely,

Colleen Skrimstad



## FINTestimony

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**From:** morag2002@gmail.com  
**Sent:** Thursday, February 21, 2013 6:05 PM  
**To:** FINTestimony  
**Subject:** Support Hawaii's collective bargaining process

Morag Miranda  
PO Box 2008  
Honoka'a, HI 96727-1833

February 21, 2013

House Finance Committee  
HI

Dear House Finance Committee:

I am a teacher at Honoka'a Elementary school and would like to ask you to support HB578.

HB578 Prohibits: (1) a public employer from wilfully implementing or attempting to implement any term of a collective bargaining proposal without the exclusive representative's agreement; and (2) a public employee or employee organization from wilfully implementing or attempting to implement any term of a collective bargaining proposal without the employer's agreement.

Historically, teachers have used the collective bargaining process to collaborate on supports for quality education and to improve teaching and learning conditions. Those positive gains are reflected in our master agreement.

However, in June 2011, instead of working together, the State walked away from the bargaining table 10 days before the contract ended and implemented its last, best final offer. It is disheartening to see that the employer submitted legislative testimony this year stating that they continue to view implementation of any term of a collective bargaining proposal as an important tool.

Student learning and education are the priority of every teacher. Despite the adverse treatment teachers are living under since the unilaterally imposed contract, teachers are focused in their classrooms and put student learning first every day. Often times, this means working beyond the school day and paying for student materials and supplies out of pocket.

Please give teachers a voice in the classroom and allow us to continue to advocate for students and education through the collective bargaining process by voting YES on HB578. Your assistance offers comfort and supports me as I continue to focus on my classroom and the needs of my students. materials and supplies out of pocket. &#8232;&#8232; &#8232;&#8232;

Sincerely,

Morag Miranda

## FINTestimony

---

**From:** yonim@ymail.com  
**Sent:** Thursday, February 21, 2013 6:00 PM  
**To:** FINTestimony  
**Subject:** Support Hawaii's collective bargaining process

Yon Im  
95-1105 Koolani Dr 238  
Mililani, HI 96789-5918

February 21, 2013

House Finance Committee  
HI

Dear House Finance Committee:

I am a teacher at Mililani Ike Elementary school and would like to ask you to support HB578.

HB578 Prohibits: (1) a public employer from wilfully implementing or attempting to implement any term of a collective bargaining proposal without the exclusive representative's agreement; and (2) a public employee or employee organization from wilfully implementing or attempting to implement any term of a collective bargaining proposal without the employer's agreement.

Historically, teachers have used the collective bargaining process to collaborate on supports for quality education and to improve teaching and learning conditions. Those positive gains are reflected in our master agreement.

However, in June 2011, instead of working together, the State walked away from the bargaining table 10 days before the contract ended and implemented its last, best final offer. It is disheartening to see that the employer submitted legislative testimony this year stating that they continue to view implementation of any term of a collective bargaining proposal as an important tool.

Student learning and education are the priority of every teacher. Despite the adverse treatment teachers are living under since the unilaterally imposed contract, teachers are focused in their classrooms and put student learning first every day. Often times, this means working beyond the school day and paying for student materials and supplies out of pocket.

Please give teachers a voice in the classroom and allow us to continue to advocate for students and education through the collective bargaining process by voting YES on HB578. Your assistance offers comfort and supports me as I continue to focus on my classroom and the needs of my students. materials and supplies out of pocket. &#8232;&#8232; &#8232;&#8232;

Sincerely,

Yon Im

## FINTestimony

---

**From:** suzieshea@gmail.com  
**Sent:** Thursday, February 21, 2013 6:00 PM  
**To:** FINTestimony  
**Subject:** Support Hawaii's collective bargaining process

Suzanne Shea  
67-273 Kiapoko street  
Waialua, HI 96791-8501

February 21, 2013

House Finance Committee  
HI

Dear House Finance Committee:

I am a teacher at Nanakuli elementary school and would like to ask you to support HB578.

HB578 Prohibits: (1) a public employer from wilfully implementing or attempting to implement any term of a collective bargaining proposal without the exclusive representative's agreement; and (2) a public employee or employee organization from wilfully implementing or attempting to implement any term of a collective bargaining proposal without the employer's agreement.

Historically, teachers have used the collective bargaining process to collaborate on supports for quality education and to improve teaching and learning conditions. Those positive gains are reflected in our master agreement.

However, in June 2011, instead of working together, the State walked away from the bargaining table 10 days before the contract ended and implemented its last, best final offer. It is disheartening to see that the employer submitted legislative testimony this year stating that they continue to view implementation of any term of a collective bargaining proposal as an important tool.

Student learning and education are the priority of every teacher. Despite the adverse treatment teachers are living under since the unilaterally imposed contract, teachers are focused in their classrooms and put student learning first every day. Often times, this means working beyond the school day and paying for student materials and supplies out of pocket.

Please give teachers a voice in the classroom and allow us to continue to advocate for students and education through the collective bargaining process by voting YES on HB578. Your assistance offers comfort and supports me as I continue to focus on my classroom and the needs of my students. materials and supplies out of pocket. &#8232;&#8232; &#8232;&#8232;

Sincerely,

Suzanne Shea

## FINTestimony

---

**From:** hanakahic@yahoo.com  
**Sent:** Thursday, February 21, 2013 6:00 PM  
**To:** FINTestimony  
**Subject:** Support Hawaii's collective bargaining process

Christine Hanakahi  
87-020 Kulaaupuni St.  
Waianae, HI 96792-3104

February 21, 2013

House Finance Committee  
HI

Dear House Finance Committee:

I am a teacher at Ewa Beach Elementary School and would like to ask you to support HB578.

HB578 Prohibits: (1) a public employer from wilfully implementing or attempting to implement any term of a collective bargaining proposal without the exclusive representative's agreement; and (2) a public employee or employee organization from wilfully implementing or attempting to implement any term of a collective bargaining proposal without the employer's agreement.

Historically, teachers have used the collective bargaining process to collaborate on supports for quality education and to improve teaching and learning conditions. Those positive gains are reflected in our master agreement.

However, in June 2011, instead of working together, the State walked away from the bargaining table 10 days before the contract ended and implemented its last, best final offer. It is disheartening to see that the employer submitted legislative testimony this year stating that they continue to view implementation of any term of a collective bargaining proposal as an important tool.

Student learning and education are the priority of every teacher. Despite the adverse treatment teachers are living under since the unilaterally imposed contract, teachers are focused in their classrooms and put student learning first every day. Often times, this means working beyond the school day and paying for student materials and supplies out of pocket.

Please give teachers a voice in the classroom and allow us to continue to advocate for students and education through the collective bargaining process by voting YES on HB578. Your assistance offers comfort and supports me as I continue to focus on my classroom and the needs of my students. materials and supplies out of pocket.

Sincerely,

Christine Hanakahi  
808-277-8915

## FINTestimony

---

**From:** jessicaserino80@gmail.com  
**Sent:** Thursday, February 21, 2013 6:25 PM  
**To:** FINTestimony  
**Subject:** Support Hawaii's collective bargaining process

Jessica Serino  
91-1058 Kekuailani Loop #1905  
Kapolei, HI 96707-2737

February 21, 2013

House Finance Committee  
HI

Dear House Finance Committee:

I am a teacher at Farrington High School school and would like to ask you to support HB578.

HB578 Prohibits: (1) a public employer from wilfully implementing or attempting to implement any term of a collective bargaining proposal without the exclusive representative's agreement; and (2) a public employee or employee organization from wilfully implementing or attempting to implement any term of a collective bargaining proposal without the employer's agreement.

Historically, teachers have used the collective bargaining process to collaborate on supports for quality education and to improve teaching and learning conditions. Those positive gains are reflected in our master agreement.

However, in June 2011, instead of working together, the State walked away from the bargaining table 10 days before the contract ended and implemented its last, best final offer. It is disheartening to see that the employer submitted legislative testimony this year stating that they continue to view implementation of any term of a collective bargaining proposal as an important tool.

Student learning and education are the priority of every teacher. Despite the adverse treatment teachers are living under since the unilaterally imposed contract, teachers are focused in their classrooms and put student learning first every day. Often times, this means working beyond the school day and paying for student materials and supplies out of pocket.

Please give teachers a voice in the classroom and allow us to continue to advocate for students and education through the collective bargaining process by voting YES on HB578. Your assistance offers comfort and supports me as I continue to focus on my classroom and the needs of my students. materials and supplies out of pocket. &#8232;&#8232; &#8232;&#8232;

Sincerely,

Jessica Serino  
617-512-3547



## FINTestimony

---

**From:** hayami@hawaii.rr.com  
**Sent:** Thursday, February 21, 2013 6:25 PM  
**To:** FINTestimony  
**Subject:** Support Hawaii's collective bargaining process

Hayami Miyasato  
2008 Aamomi St.  
Pearl City, HI 96782-1308

February 21, 2013

House Finance Committee  
HI

Dear House Finance Committee:

I am a teacher at Central Middle School and would like to ask you to support HB578.

HB578 Prohibits: (1) a public employer from wilfully implementing or attempting to implement any term of a collective bargaining proposal without the exclusive representative's agreement; and (2) a public employee or employee organization from wilfully implementing or attempting to implement any term of a collective bargaining proposal without the employer's agreement.

Historically, teachers have used the collective bargaining process to collaborate on supports for quality education and to improve teaching and learning conditions. Those positive gains are reflected in our master agreement.

However, in June 2011, instead of working together, the State walked away from the bargaining table 10 days before the contract ended and implemented its last, best final offer. It is disheartening to see that the employer submitted legislative testimony this year stating that they continue to view implementation of any term of a collective bargaining proposal as an important tool.

Student learning and education are the priority of every teacher. Despite the adverse treatment teachers are living under since the unilaterally imposed contract, teachers are focused in their classrooms and put student learning first every day. Often times, this means working beyond the school day and paying for student materials and supplies out of pocket.

Please give teachers a voice in the classroom and allow us to continue to advocate for students and education through the collective bargaining process by voting YES on HB578. Your assistance offers comfort and supports me as I continue to focus on my classroom and the needs of my students. materials and supplies out of pocket. &#8232;&#8232; &#8232;&#8232;

Sincerely,

Hayami Miyasato  
284-6677





## **FINTestimony**

---

**From:** Joanne Rosen [buddyhoku@gmail.com]  
**Sent:** Thursday, February 21, 2013 6:33 PM  
**To:** FINTestimony  
**Subject:** Please support HB578

Historically, teachers have used the collective bargaining process to collaborate on supports for quality education and to improve teaching and learning conditions. Those positive gains are reflected in our master agreement.

However, in June 2011, instead of working together, the State walked away from the bargaining table 10 days before the contract ended and implemented its last, best, final offer. It is disheartening to see that the employer submitted legislative testimony this year stating that they continue to view implementation of any term of a collective bargaining proposal "as an important tool."

Student learning and education are the priority of every teacher. Despite the adverse treatment teachers are living under since the unilaterally imposed contract, teachers are focused in their classrooms and put student learning first every day. Often times, this means working beyond the school day and paying for student materials and supplies out of pocket.

Please give teachers a voice in the classroom and to allow us to continue to advocate for students and education by voting YES and supporting HB578.

## FINTestimony

---

**From:** aloalo47@hotmail.com  
**Sent:** Thursday, February 21, 2013 6:55 PM  
**To:** FINTestimony  
**Subject:** Support Hawaii's collective bargaining process

Sharon Smith  
1213 Mokapu Blvd  
Kailua, HI 96734-1848

February 21, 2013

House Finance Committee  
HI

Dear House Finance Committee:

I am a teacher at \_Aikahi Elementary\_school and would like to ask you to support HB578.

HB578 Prohibits: (1) a public employer from willfully implementing or attempting to implement any term of a collective bargaining proposal without the exclusive representative's agreement; and (2) a public employee or employee organization from willfully implementing or attempting to implement any term of a collective bargaining proposal without the employer's agreement.

Historically, teachers have used the collective bargaining process to collaborate on supports for quality education and to improve teaching and learning conditions. Those positive gains are reflected in our master agreement.

However, in June 2011, instead of working together, the State walked away from the bargaining table 10 days before the contract ended and implemented its last, best final offer. It is disheartening to see that the employer submitted legislative testimony this year stating that they continue to view implementation of any term of a collective bargaining proposal as an important tool

Student learning and education are the priority of every teacher. Despite the adverse treatment teachers are living under since the unilaterally imposed contract, teachers are focused in their classrooms and put student learning first every day. Often times, this means working beyond the school day and paying for student materials and supplies out of pocket.

Please give teachers a voice in the classroom and allow us to continue to advocate for students and education through the collective bargaining process by voting YES on HB578. Your assistance offers comfort and supports me as I continue to focus on my classroom and the needs of my students. I continue to purchase materials and supplies out of pocket.

Sincerely,

Sharon Smith  
808-254-5452



## FINTestimony

---

**From:** nauilei@gmail.com  
**Sent:** Thursday, February 21, 2013 6:55 PM  
**To:** FINTestimony  
**Subject:** Support Hawaii's collective bargaining process

Nauileilima Murphy  
PO Box 6006  
Kamuela, HI 96743-6006

February 21, 2013

House Finance Committee  
HI

Dear House Finance Committee:

I am a teacher at Waimea Middle Public Conversion Charter School and would like to ask you to support HB578.

HB578 Prohibits: (1) a public employer from willfully implementing or attempting to implement any term of a collective bargaining proposal without the exclusive representative's agreement; and (2) a public employee or employee organization from willfully implementing or attempting to implement any term of a collective bargaining proposal without the employer's agreement.

Historically, teachers have used the collective bargaining process to collaborate on supports for quality education and to improve teaching and learning conditions. Those positive gains are reflected in our master agreement.

However, in June 2011, instead of working together, the State walked away from the bargaining table 10 days before the contract ended and implemented its last, best final offer. It is disheartening to see that the employer submitted legislative testimony this year stating that they continue to view implementation of any term of a collective bargaining proposal as an important tool.

Student learning and education are the priority of every teacher. Despite the adverse treatment teachers are living under since the unilaterally imposed contract, teachers are focused in their classrooms and put student learning first every day. Often times, this means working beyond the school day and paying for student materials and supplies out of pocket.

Please give teachers a voice in the classroom and allow us to continue to advocate for students and education through the collective bargaining process by voting YES on HB578. Your assistance offers comfort and supports me as I continue to focus on my classroom and the needs of my students. materials and supplies out of pocket. &#8232;&#8232; &#8232;&#8232;

Sincerely,

Nauileilima Murphy



## FINTestimony

---

**From:** grizzcubs@yahoo.com  
**Sent:** Thursday, February 21, 2013 6:55 PM  
**To:** FINTestimony  
**Subject:** Support Hawaii's collective bargaining process

Maha Weeks  
95-1028 Hoailona Street  
Mililani, HI 96789-5314

February 21, 2013

House Finance Committee  
HI

Dear House Finance Committee:

I am a teacher at \_Leukemia High \_ school and would like to ask you to support HB578.

HB578 Prohibits: (1) a public employer from wilfully implementing or attempting to implement any term of a collective bargaining proposal without the exclusive representative's agreement; and (2) a public employee or employee organization from wilfully implementing or attempting to implement any term of a collective bargaining proposal without the employer's agreement.

Historically, teachers have used the collective bargaining process to collaborate on supports for quality education and to improve teaching and learning conditions. Those positive gains are reflected in our master agreement.

However, in June 2011, instead of working together, the State walked away from the bargaining table 10 days before the contract ended and implemented its last, best final offer. It is disheartening to see that the employer submitted legislative testimony this year stating that they continue to view implementation of any term of a collective bargaining proposal as an important tool.

Student learning and education are the priority of every teacher. Despite the adverse treatment teachers are living under since the unilaterally imposed contract, teachers are focused in their classrooms and put student learning first every day. Often times, this means working beyond the school day and paying for student materials and supplies out of pocket.

Please give teachers a voice in the classroom and allow us to continue to advocate for students and education through the collective bargaining process by voting YES on HB578. Your assistance offers comfort and supports me as I continue to focus on my classroom and the needs of my students. materials and supplies out of pocket. &#8232;&#8232; &#8232;&#8232;

Sincerely,

Maha Weeks

## FINTestimony

---

**From:** feliciaferrance@gmail.com  
**Sent:** Thursday, February 21, 2013 6:45 PM  
**To:** FINTestimony  
**Subject:** Support Hawaii's collective bargaining process

Felicia Ferrance  
2947 Kalakaua Ave.  
Honolulu, HI 96815-4655

February 21, 2013

House Finance Committee  
HI

Dear House Finance Committee:

I am a teacher at Kawanakoa Middle School and would like to ask you to support HB578.

HB578 Prohibits: (1) a public employer from wilfully implementing or attempting to implement any term of a collective bargaining proposal without the exclusive representative's agreement; and (2) a public employee or employee organization from wilfully implementing or attempting to implement any term of a collective bargaining proposal without the employer's agreement. This is demoralizing and completely unfair.

Disempowering teachers is no way to improve the education system in Hawaii.

Historically, teachers have used the collective bargaining process to collaborate on supports for quality education and to improve teaching and learning conditions. Teachers work hard to provide stimulating relevant learning experiences for their students and know best what students need, therefore teachers should have a say in how the system runs best. Because teachers care positive gains are reflected in our master agreement.

However, in June 2011, instead of working together, the State walked away from the bargaining table 10 days before the contract ended and implemented its last, best final offer. It is disheartening to see that the employer submitted legislative testimony this year in an attempt to strip the hardworking teachers of Hawaii of their right to bargain, their right to earn a decent living wage, and their right to respect.

Student learning and education are the priority of every teacher, even though the state does not want to pay teachers what they are worth and despite the adverse treatment teachers are living under since the unilaterally imposed contract, teachers are focused in their classrooms and put student learning first every day. Often times, this means working beyond the school day and paying for student materials and supplies out of pocket. I myself am a full time teacher who works two part time jobs , in addition to teaching, to supplement what has been lost to pay cuts and no raises. We are working triple time because we care about our students and don't want to give up. Unfortunately, if things keep moving along in this vein, the state of Hawaii and her children will lose some great teachers and good people.

Please give teachers a voice in the classroom and allow us to continue to advocate for students and education through the collective bargaining process by voting YES on HB578. Your assistance offers comfort and supports me as I continue to focus on my classroom and the needs of my students.

Sincerely,

Felicia Ferrance  
808 443-7502



## FINTestimony

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**From:** jgrissim@yahoo.com  
**Sent:** Thursday, February 21, 2013 6:35 PM  
**To:** FINTestimony  
**Subject:** Support Hawaii's collective bargaining process

Jean Grissim  
78-7030 Alii Dr #301  
Kailua-Kona, HI 96740-2503

February 21, 2013

House Finance Committee  
HI

Dear House Finance Committee:

I am a teacher at Konawaena High school and would like to ask you to support HB578.

HB578 Prohibits: (1) a public employer from wilfully implementing or attempting to implement any term of a collective bargaining proposal without the exclusive representative's agreement; and (2) a public employee or employee organization from wilfully implementing or attempting to implement any term of a collective bargaining proposal without the employer's agreement.

Historically, teachers have used the collective bargaining process to collaborate on supports for quality education and to improve teaching and learning conditions. Those positive gains are reflected in our master agreement.

However, in June 2011, instead of working together, the State walked away from the bargaining table 10 days before the contract ended and implemented its last, best final offer. It is disheartening to see that the employer submitted legislative testimony this year stating that they continue to view implementation of any term of a collective bargaining proposal as an important tool.

Student learning and education are the priority of every teacher. Despite the adverse treatment teachers are living under since the unilaterally imposed contract, teachers are focused in their classrooms and put student learning first every day. Often times, this means working beyond the school day and paying for student materials and supplies out of pocket.

Please give teachers a voice in the classroom and allow us to continue to advocate for students and education through the collective bargaining process by voting YES on HB578. Your assistance offers comfort and supports me as I continue to focus on my classroom and the needs of my students. materials and supplies out of pocket. &#8232;&#8232; &#8232;&#8232;

Sincerely,

Jean Grissim

## FINTestimony

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**From:** wahinesuzanne@gmail.com  
**Sent:** Thursday, February 21, 2013 6:35 PM  
**To:** FINTestimony  
**Subject:** Support Hawaii's collective bargaining process

Suzanne Braun  
47-681A Lamaula Rd  
Kaneohe, HI 96744

February 21, 2013

House Finance Committee  
HI

Dear House Finance Committee:

I am a school counselor at Mokapu Elementary School and would like to ask you to support HB578.

HB578 Prohibits: (1) a public employer from wilfully implementing or attempting to implement any term of a collective bargaining proposal without the exclusive representative's agreement; and (2) a public employee or employee organization from wilfully implementing or attempting to implement any term of a collective bargaining proposal without the employer's agreement.

Historically, teachers have used the collective bargaining process to collaborate on supports for quality education and to improve teaching and learning conditions. Those positive gains are reflected in our master agreement.

However, in June 2011, instead of working together, the State walked away from the bargaining table 10 days before the contract ended and implemented its last, best final offer. It is disheartening to see that the employer submitted legislative testimony this year stating that they continue to view implementation of any term of a collective bargaining proposal as an important tool.

Student learning and education are the priority of every teacher. Despite the adverse treatment teachers are living under since the unilaterally imposed contract, teachers are focused in their classrooms and put student learning first every day. Often times, this means working beyond the school day and paying for student materials and supplies out of pocket.

Please give teachers a voice in the classroom and allow us to continue to advocate for students and education through the collective bargaining process by voting YES on HB578. Your assistance offers comfort and supports me as I continue to focus on my classroom and the needs of my students.

Sincerely,

Suzanne Braun

## **FINTestimony**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 21, 2013 7:48 PM  
**To:** FINTestimony  
**Cc:** pstanfield@gmail.com  
**Subject:** \*Submitted testimony for HB578 on Feb 22, 2013 11:00AM\*

### **HB578**

Submitted on: 2/21/2013

Testimony for FIN on Feb 22, 2013 11:00AM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Patty Stanfield	Individual	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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