



WRITTEN ONLY

TESTIMONY BY KALBERT K. YOUNG  
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE  
STATE OF HAWAII  
TO THE SENATE COMMITTEE ON WAYS AND MEANS  
ON  
SENATE BILL NO. 883, S.D. 1

February 21, 2013

RELATING TO COLLECTIVE BARGAINING

Senate Bill No. 883, S.D. 1, establishes a new collective bargaining unit to represent first responder employees within the State and counties, including State law enforcement officers and county ocean safety and water safety officers. The employees are currently represented by the Hawaii Government Employees Association (HGEA) as members of collective bargaining units 3 and 4 and would continue to be represented by HGEA under the terms of this bill.

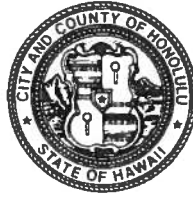
The Department of Budget and Finance takes no position on this measure. While it is possible the concerns of these employees could be addressed within their current bargaining unit through supplemental agreements, it is recognized these employees would be more likely to receive enhanced pay and benefits as members of a more homogeneous public safety related bargaining unit. Both the need and impact of enhanced pay and benefits and whether or not a new bargaining unit is the most prudent route to address those needs, and other needs of these employees, should be carefully weighed before passing this measure.

HONOLULU EMERGENCY SERVICES DEPARTMENT  
**CITY AND COUNTY OF HONOLULU**

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**LATE**

KIRK CALDWELL  
MAYOR



MARK K. RIGG  
Director Designate

February 20, 2013

The Honorable David Y. Ige, Chair  
The Honorable Michelle N. Kidani, Vice Chair, and Members  
Senate Committee on Ways and Means  
State Capitol  
415 South Beretania Street  
Honolulu, HI 96813

Dear Chair Ige, Vice Chair Kidani, and Members:

**RE: SB 883, SD 1 RELATING TO COLLECTIVE BARGAINING**

The City & County of Honolulu strongly supports SB 883, SD1, which would create a separate bargaining unit (Bargaining Unit 14) for State law enforcement personnel and County Water Safety and Ocean Safety Officers in the State of Hawaii. The City's Ocean Safety and Lifeguard Services Division employs 152 full time Water Safety Officers and 72 part-time, contract hire personnel who provide year round lifeguard services for the island of Oahu.

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

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

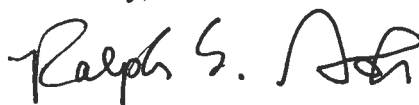
The Revised Charter of the City & County of Honolulu (2006), Section 6-603, defines the role of the Director of Emergency Services regarding ocean safety to: "(1) Be the primary responder to emergencies arising on the beach and in the near shore waters; and (2) Be responsible for ocean safety training,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

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

SB 883, SD 1, would create a new bargaining unit (14) to represent State law enforcement personnel and County Water Safety / Ocean Safety Officers in the State of Hawaii. The 250 employees of the City & County of Honolulu's Ocean Safety and Lifeguard Services Division strongly support this measure and respectfully ask for your favorable consideration.

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

Sincerely,

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

Ralph S. Goto  
Administrator  
Ocean Safety and Lifeguard Services

**LATE**



HAWAIIAN LIFEGUARD ASSOCIATION



February 20, 2013

The Honorable David Y. Ige, Chair  
The Honorable Michelle N. Kidani, Vice Chair  
and Members  
Committee on Ways and Means  
The Senate  
The Twenty Seventh Legislature  
Regular Session of 2013

Dear Chair Ige, Vice Chair Kidani, and Members:

Re: SB 883, SD 1, Relating to Collective Bargaining

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

The HLA strongly supports SB 883 SD 1, as it creates a new bargaining unit in the State of Hawaii Collective Bargaining Agreement. Since the inception of the collective bargaining agreement, Water Safety Officers have been included in HGEA Unit 3 (white collar, non supervisory) and Unit 4 (white collar, supervisory). Although this assignment may have been appropriate twenty years ago, we submit to you that in 2013, Water Safety and Ocean Safety Officers in the State of Hawaii are essential public safety employees similar to fire fighters and police officers, and with

all due respect, should not have to negotiate contract issues with secretaries and clerical employees in state and county government.

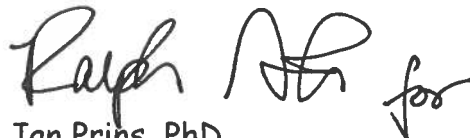
In addition to risking their lives to rescue surfers, swimmers, and unwary visitors in distress in the largest and most dangerous surf conditions in the world, Water Safety and Ocean Safety Officers in Hawaii are highly trained in all areas of emergency response, including medical cases, natural disasters,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

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

Thank you for the opportunity to present testimony on this very important matter. On behalf of the 400 ocean safety professionals in the State of Hawaii, I urge your favorable disposition of SB 883 SD 1.

Aloha nui loa.

Sincerely,

A handwritten signature in black ink, appearing to read "Jan Prins" followed by a stylized flourish and the word "for".

Jan Prins, PhD  
President



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**To:** [WAM Testimony](#)  
**Cc:** [ltaciii@yahoo.com](mailto:ltaciii@yahoo.com)  
**Subject:** \*Submitted testimony for SB883 on Feb 21, 2013 09:00AM\*  
**Date:** Wednesday, February 20, 2013 12:15:45 PM

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**SB883**

Submitted on: 2/20/2013

Testimony for WAM on Feb 21, 2013 09:00AM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
Albert Cummings III	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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**To:** [WAM Testimony](#)  
**Cc:** [bkadekawa@gmail.com](mailto:bkadekawa@gmail.com)  
**Subject:** Submitted testimony for SB883 on Feb 21, 2013 09:00AM  
**Date:** Thursday, February 21, 2013 7:26:14 AM

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**SB883**

Submitted on: 2/21/2013

Testimony for WAM on Feb 21, 2013 09:00AM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
Brandon Kadekawa	Individual	Support	No

Comments: I humbly support the first responders bill

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**Subject:** \*Submitted testimony for SB883 on Feb 21, 2013 09:00AM\*  
**Date:** Wednesday, February 20, 2013 5:31:31 PM

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**SB883**

Submitted on: 2/20/2013

Testimony for WAM on Feb 21, 2013 09:00AM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
Chad Waterida	Individual	Support	No

**Comments:**

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**Cc:** [jpiimauna@yahoo.com](mailto:jpiimauna@yahoo.com)  
**Subject:** Submitted testimony for SB883 on Feb 21, 2013 09:00AM  
**Date:** Wednesday, February 20, 2013 4:25:47 PM

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SB883

Submitted on: 2/20/2013

Testimony for WAM on Feb 21, 2013 09:00AM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
Jeffrey Piimauna	Individual	Support	No

Comments: I fully support Senate Bill 883, SD1 and would ask this committee for your support. Thank You!

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 Date: Wednesday, February 20, 2013 3:40:55 PM

SB883

Submitted on: 2/20/2013

Testimony for WAM on Feb 21, 2013 09:00AM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
Lt. Michael Oakland	Individual	Support	No

Comments: Aloha Chair Ige, Vice Chair Kidani and members of the committee: I am Lt Michael Oakland and I am in STRONG SUPPORT of this measure. As we and the legislature already know, we have a number of issues that need to be addressed and because we are in a white collar secretary and clerk bargaining unit we cannot address a significant amount of issues. A new BU 14 (blue collar) will help in many ways to push the State Sheriff's to becoming not only the oldest (166 years) but one of the best law enforcement organizations around. With your help we will be able to work much faster in making that a reality. Mahalo Nui Loa for hearing this and I encourage all members to support this bill so we can move forward and bring the State Sheriffs' into at least the 20th much less the 21st century. Aloha, Lt. Michael Oakland, Commander Airport Patrol Section, Sheriff Division Honolulu International Airport, Kalaeloa and Dillingham Airfields

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**To:** [WAM Testimony](#)  
**Cc:** [joanmorelock@gmail.com](mailto:joanmorelock@gmail.com)  
**Subject:** Submitted testimony for SB883 on Feb 21, 2013 09:00AM  
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**SB883**

Submitted on: 2/20/2013

Testimony for WAM on Feb 21, 2013 09:00AM in Conference Room 211

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

Comments: Hawaii needs the best lifeguards

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**Cc:** [morelockmn@gmail.com](mailto:morelockmn@gmail.com)  
**Subject:** \*Submitted testimony for SB883 on Feb 21, 2013 09:00AM\*  
**Date:** Wednesday, February 20, 2013 9:30:56 AM

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**SB883**

Submitted on: 2/20/2013

Testimony for WAM on Feb 21, 2013 09:00AM in Conference Room 211

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

**Comments:**

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**LATE**

Monty Downs, M.D.  
160 Lani Alii Place  
Kapa'a, HI 96746  
wmdowns2000@yahoo.com

2/20/13

The Honorable David Y. Ige, Chair  
The Honorable Michelle N. Kidani, Vice Chair and Members  
Senate Committee on Ways and Means

## TESTIMONY IN SUPPORT OF SB 883, proposed S.D. 1

Dear Chair Ige Vice-Chair Kidani, and Members:

This Bill, if passed through, will create an HGEA Unit 14 for State Law Enforcement Officers, and for Water Safety Officers/Ocean Safety Officers (WSO's and OSO's). I am knowledgeable about issues involved with WSO's and OSO's, and my testimony will be oriented towards that aspect of this Bill.

I am testifying both as an individual (a Wilcox Hospital ER doctor since 1972) and also as President of the Kauai Lifeguard Association.

What I have witnessed in my ER career has led me to become a #1 fan of our Lifeguards (a.k.a. WSO's here on Kaua'i and Oahu and the Big Island, OSO's on Maui. From this point on I'll keep things simple and refer to all our Lifeguards as WSO's).

Back in the 1970's, WSO's were arbitrarily – for lack, as I understand it, of a better place to assign them – put into HGEA Bargaining Unit 3, a Unit consisting of 15,000+ “white collar non-supervisors.” Since the 1970's, the WSO's job complexity and expectation has grown such that the job is pretty much unrecognizable from those early days. Back then, a WSO brought his lunchbox and sat in a tower at a County Beach Park and guarded the beach in front of him. Now -- with Jetski's with their rescue sleds, with ATV's, with being an integral part of the 911 system -- WSO's are expected to respond to incidents that may take place miles away from their Tower. Unlike other Unit 3 members, they are subject to drug and alcohol testing, and also they are designated to function as essential employees during emergency situations.

Our WSO's have accepted this job expansion with great skill and Aloha . They are international legends. But, they have not received a salary increase commensurate with this increase in their job description and job demand. For example, on Kauai, their salary at year 5 is less than a McDonald's worker at Year 5.

Trying to negotiate a salary increase while being in Unit 3 – a group of around 400 WSO's in the midst of a Unit of around 15,000 members – has proven to be pretty

much impossible, unless our economy is in a position which allows a raise for all 15,000. And this is the reason for my strong support of SB 883, Proposed S.D.1. By being in their own Bargaining Unit, at least the WSO's will have a chance to have their issues and circumstances reviewed and addressed. We all, WSO's included, are well aware that being heard in this way will not, in this economy, guarantee an immediate fix, i.e. a salary increase. The nuts and bolts of improved (and appropriate!) compensation will be worked out over years to come. But at least the avenue will exist.

Giving our WSO's a voice: That to me is a huge step forward in allowing our people -- including our leaders such as yourselves -- to say "Thank You, men and women of Ocean Safety. You have done a remarkable job not only of watching over us and our families, but also of being our ambassadors. We in turn will work hard to support you."

And, I thank you, Leaders and Members of the Ways and Means Committee, for reviewing my testimony and for considering SB 883, Proposed S.D.1. I respectfully urge you to move the bill forward from your Committee and -- when possible -- to continue to shepherd it through future Committees and deliberations.

Sincerely Yours,

Monty Downs, M.D.  
Kapa'a, Kauai



The Twenty-Seventh Legislature, State of Hawaii  
The Senate  
Committee on Judiciary and Labor

**February 20, 2013**

**Senate Bill SB 883 S.D. 1 – RELATING TO Bargaining Unit 14 for First Responders: State Law Enforcement and County Water Safety Officers**

Chair Clayton Hee, Vice-Chair Maile Shimabukuro and members of the Committee on Judiciary and Labor:

Thank you for the opportunity to provide testimony in **support** of **Senate Bill 883 S.D. 1**, which will create a collective bargaining unit for state law enforcement and state and county water safety officers.

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

Thank you for the opportunity to provide testimony in **support** of **Senate Bill 883 S.D. 1**.

Respectfully submitted,

**Lieutenant Tony Ho**  
(Ocean Safety Windward)