



HAWAII GOVERNMENT EMPLOYEES ASSOCIATION
AFSCME Local 152, AFL-CIO

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The Twenty-Seventh Legislature, State of Hawaii
Hawaii State Senate
Committee on Human Services

Testimony by
Hawaii Government Employees Association
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S.B. 2845 – RELATING TO APPOINTMENT OF EXEMPT
PERSONNEL IN THE DEPARTMENT OF HUMAN
SERVICES FOR THE STATE MEDICAL ASSISTANCE
PROGRAMS

The Hawaii Government Employees Association opposes S.B. 2845. We cannot support the provision in the bill that would allow the exemption of a wide range of staff persons within the Department of Human Services from Chapter 76, HRS. This particular type of exemption from civil service has become all too prevalent and is inconsistent with purpose and intent of Article XVI of the Hawaii State Constitution and Section 76-1 HRS. There are over 1,000 exempt employees under the specific exemption used in this bill – Section 76-16 (b) (17), HRS.

The problems and challenges created by exempt positions are that while most are included in HGEA bargaining units, and the union collects dues from them, they are not protected under the discipline and reduction-in-force article for bargaining units 3, 4 and 13. They are also ineligible for step movements. Exempt employees in Unit 13 are also precluded from earning overtime. Many of these exempt employees have been employed by the State of Hawaii for years and provide valuable service to their respective departments, yet they are not treated fairly by the employer.

There is simply no legitimate reason for so many employees of the State Medical Assistance Program to be exempted from Chapter 76, HRS. These positions should be filled within the civil service system. We appreciate the opportunity to testify in opposition to S.B. 2845.

Respectfully submitted,

Randy Perreira
Executive Director