

Honolulu, Hawaii
February 18, 2016

RE: H.B. No. 2351
H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawaii

Sir:

Your Committee on Labor & Public Employment, to which was referred H.B. No. 2351 entitled:

"A BILL FOR AN ACT RELATING TO SERVICES PERFORMED BY CIVIL SERVICE EMPLOYEES,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Comply with *Konno v. County of Hawaii*, 85 Hawaii 61, 937P.2d 397 (1997), whereby the Hawaii Supreme Court held that the County violated civil service law and merit principles when it hired private contractors to perform work that is historically and customarily performed by civil service employees;
- (2) Comply with the court-ordered mediation agreement between the State Executive Branch and the United Public Workers regarding services historically and customarily performed by civil service employees; and
- (3) Authorize and fund positions needed to perform services that are currently being contracted by the Executive Branch departments.

The Department of Human Resources Development; Department of Land and Natural Resources; Department of Public Safety; and the Department of Accounting and General Services supported this



measure. The United Public Workers, AFSCME, Local 646, AFL-CIO, provided comments.

Your Committee has amended this measure by:

- (1) Changing the appropriations for the various positions to unspecified amounts;
- (2) Changing its effective date to July 1, 2091, to encourage further discussion.

Should the Committee on Finance deliberate on this measure further, your Committee respectfully requests inserting the following appropriations amounts:

- (1) \$224,520, for the positions with the Department of Public Safety;
- (2) \$1,287,016, for the positions with the Department of Land and Natural Resources;
- (3) \$678,480, for the positions with the Department of Defense; and
- (4) \$972,866, for the positions with the Department of Accounting and General Services.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2351, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2351, H.D. 1, and be referred to your Committee on Finance.

Respectfully submitted on
behalf of the members of the
Committee on Labor & Public
Employment,


MARK M. NAKASHIMA, Chair



