

DAVID Y. IGE
GOVERNOR



JAMES K. NISHIMOTO
DIRECTOR

RYKER WADA
DEPUTY DIRECTOR

STATE OF HAWAII
DEPARTMENT OF HUMAN RESOURCES DEVELOPMENT
235 S. BERETANIA STREET
HONOLULU, HAWAII 96813-2437

March 21, 2017

TESTIMONY TO THE
HOUSE COMMITTEE ON JUDICIARY
For Hearing on Wednesday, March 22, 2017
2:00 p.m., Conference Room 325

By

JAMES K. NISHIMOTO
DIRECTOR

Senate Bill No. 207 SD2 HD1
Relating to Employees

CHAIRPERSON NISHIMOTO, VICE-CHAIR SAN BUENAVENTURA AND MEMBERS
OF THE HOUSE COMMITTEE ON JUDICIARY:

S.B. No. 207 SD2 HD1 amends Section 78-26 HRS, Leave Sharing Program, to require each state government branch to establish a leave sharing program to allow state employees to donate accumulated vacation leave credits to another state employee who has a serious personal illness or injury or who has a family member who has a serious personal illness or injury within each state government branch. The program shall allow employees who are not entitled to vacation leave to donate accumulated sick leave credits.

The Department of Human Resources Development respectfully appreciates the intent of but **opposes SB No. 207 SD2 HD1**.

The scope of S.B No. 207 SD2 HD1, which includes all departments under the Executive Branch, extends beyond the authority of the Department of Human of

Resources Development, i.e., Department of Education, Hawaii Health Systems Corporation, and the University of Hawaii. The jurisdictional scope of the proposal requires assessment of existing policies and programs, for integration into the centralized system, prior to design an implementation. This process needs to be coordinated and agreed upon across all jurisdictions.

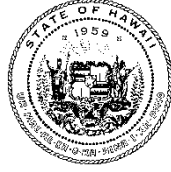
It is recommended that the authority to grant and appeals processes be formalized, to include a multi-jurisdictional board or referee, to insure fairness and transparency across the affected jurisdiction.

The Department of Human Resources Development does not currently have the resources to track shared leave usage across the span of an employee's State employment. As the conditions for usage include limitations over the life of an employee's State employment, a comprehensive and sustainable tracking system is recommended. We also recommend that budget for staffing, software development and maintenance, security, and hosting be included for this program.

Given the foregoing, we recommend that S.B. No. 207 SD2 HD1 be held.

Thank you for the opportunity to provide testimony on S.B. No. 207 SD2 HD1.

DAVID Y. IGE
GOVERNOR



RODERICK K. BECKER
Comptroller

AUDREY HIDANO
Deputy Comptroller

STATE OF HAWAII
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES

P.O. BOX 119, HONOLULU, HAWAII 96810-0119

TESTIMONY OF
RODERICK K. BECKER, COMPTROLLER
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
TO THE
HOUSE COMMITTEE ON JUDICIARY
ON
WEDNESDAY, MARCH 22, 2017
2:00 P.M.
CONFERENCE ROOM 325

S.B. 207, S.D. 2, H.D. 1

RELATING TO EMPLOYEES.

Chair Nishimoto, Vice Chair San Buenaventura, and members of the Committee, thank you for the opportunity to testify on S.B. 207, S.D. 2, H.D. 1.

The Department of Accounting and General Services (DAGS) strongly supports Part II of this measure and offers the following comments for your consideration.

Currently, §78-23(c), Hawaii Revised Statutes (HRS), requires the Employee's Designation of Beneficiary Form to be written, notarized, and filed with the comptroller or other disbursing officer who issues warrants or checks to pay an employee for the employee's services. This requirement has resulted in thousands of forms being maintained in a central location at DAGS. Maintaining the forms, which includes manually filing forms alphabetically for new employees, filing updated forms for current employees, and purging forms of employees no longer

employed with the State, is extremely labor intensive. By having the forms kept by the employing department, this form, along with other payroll and personnel forms, would routinely be discarded when no longer required.

The State is in the process of implementing a new payroll system that may be able to maintain beneficiary information entered by the employee. Section 78-23(c), HRS, is also being amended to eliminate the requirement that the form be written and notarized, which will allow the new system to maintain the beneficiary information in an electronic format.

Thank you for the opportunity to testify on this matter.



HAWAII GOVERNMENT EMPLOYEES ASSOCIATION
AFSCME Local 152, AFL-CIO

RANDY PERREIRA, Executive Director • Tel: 808.543.0011 • Fax: 808.528.0922

LATE

The Twenty-Ninth Legislature, State of Hawaii
House of Representatives
Committee on Judiciary

Testimony by
Hawaii Government Employees Association

March 22, 2017

S.B. 207, S.D. 2, H.D. 1 – RELATING TO EMPLOYEES

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO strongly supports the purpose and intent of S.B. 207, S.D. 2, H.D. 1 which requires each state government branch to establish a shared leave program for state employees. Additionally, this measure precludes a state government branch from prohibiting leave sharing between different departments or bargaining units due to administrative infeasibility.

Currently, many state departments offer a shared leave program for their employees; however each program is run independently from each other, governed by different policies, and without the ability to participate in cross-departmental sharing. The shared leave program as proposed in S.B. 207, S.D. 2, H.D. 1 will allow employees not only to donate into a shared leave bank which employees in need can utilize. Creating a statewide shared leave program not only significantly expands the pool of eligible leave donors and allows for more employees to participate, but will also ensure consistency and fairness in implementation. Additionally, we respectfully request that should this measure become law that the Employer consult with the Exclusive Representatives on its implementation.

Thank you for the opportunity to testify in strong support of S.B. 207, S.D. 2, H.D. 1.

Respectfully submitted,

Randy
Randy Perreira
Executive Director

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 21, 2017 8:02 AM
To: JUDtestimony
Cc: suzy.okino@gmail.com
Subject: *Submitted testimony for SB207 on Mar 22, 2017 14:00PM*

SB207

Submitted on: 3/21/2017

Testimony for JUD on Mar 22, 2017 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Suzy Okino	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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SB207, SD2, HD1
Relating to Employees
House Committee on Judiciary
March 22, 2017

My name is Malia Espinda. I am a state employee. However, I do not represent my department with this testimony.

Currently if a state employee is seriously ill or injured and has used up all accumulated sick *and* vacation leave, the employee may be able to seek donated vacation leave from fellow employees within the same department that the employee works in, or, according to statute in some cases accumulated sick leave. The state employee is not permitted to seek donated leave from fellow state employees across other departments or agencies.

As a suggestion, the committee may wish to consider adopting the contents of SB 207, SD2, which directly amends the leave-sharing program, as established in statute.

DHRD itself established the leave-sharing program in statute in 2000, through an administrative proposal. In 17 years, a tracking mechanism with technology-driven solutions towards harmonizing the leave-sharing program across departments should be administratively feasible. When a state employee transfers from one state department to another, the employee's sick and vacation time transfers, as well. This suggests that there is a potential mechanism for departments to manage cross-department donated leave, within their budgets.

This measure would address the following:

- A life-long Department of Health employee may have an established relationship with a fellow-state employee who works in the Department of the Attorney General. Over the years these state employees are more than respectful colleagues, they have become caring friends. However, if one of those employees should become seriously ill or injured, the other is prohibited from helping with donated vacation leave. This is simply not representative of the Aloha we share as state employees with our larger state employee Ohana.

- In the Capitol alone, there are 5 different departments/budgets that interface every day. If he/she ever needed the support, the Governor's, LG's, PSD Sheriff's, or Legislative staff could not assist the DAGS Janitor who has dutifully cleared out office trash for decades.
- State employees who work in a comparatively small department to that of the State's much larger departments are at an extreme disadvantage simply because the smaller number of staff presents limitations to the pool of potentially available donated leave. This is not fair.
- Currently, when an employee is seriously sick or injured and in need of donated leave, a common practice across departments is a department-wide e-mail blast soliciting donations. While this is an understandable means to garner donations, it may impact employee's desire for personal privacy during a difficult time. A broader pool may allow the employee to more comfortably seek support from close colleagues he or she work more directly with.
- When a state employee transfers from one state department to another, the employee's sick and vacation time transfers, as well. This suggests that there is a potential mechanism for departments to manage cross-department donated leave within their budgets. Alternatively, in the era of Go Funds accounts, perhaps an innovative solution could be considered and developed.

Finally, determining the cost differential impact of different levels employees should not hinder the passage of this measure. Indeed, if there were a substantial loss realized, state departments would likely not maintain their current internal shared-leave programs. In fact, there may be overall state budget cost-savings to establishing a shared-leave program across all departments as employees opt to donate accumulated leave that might otherwise be paid out in retirement.

Thank you for considering this measure.

Aloha,
Malia Espinda

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 21, 2017 3:17 PM
To: JUDtestimony
Cc: mendezj@hawaii.edu
Subject: *Submitted testimony for SB207 on Mar 22, 2017 14:00PM*

SB207

Submitted on: 3/21/2017

Testimony for JUD on Mar 22, 2017 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Javier Mendez-Alvarez	Individual	Support	No

Comments:

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