

DAVID Y. IGE
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JAMES K. NISHIMOTO
DIRECTOR

RYKER WADA
DEPUTY DIRECTOR

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

February 3, 2017

TESTIMONY TO THE
SENATE COMMITTEE ON JUDICIARY AND LABOR
For Hearing on Thursday, February 9, 2017
9:05 a.m., Conference Room 016

By

JAMES K. NISHIMOTO
DIRECTOR

Senate Bill No. 410
Relating to Collective Bargaining

CHAIRPERSON KEITH-AGARAN, VICE CHAIR RHOADS AND MEMBERS OF THE
SENATE COMMITTEE ON JUDICIARY AND LABOR:

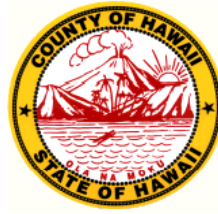
S.B. No. 410 clarifies the allowable scope of collective bargaining negotiations regarding the rights and obligations of a public employer and it clarifies prohibited practices for parties to a public employment collective bargaining agreement.

The Department of Human Resources Development **opposes** this measure as it would interfere with the rights and obligations of a public employer by allowing negotiations on rights reserved to management. This is contrary to Section 89-9(d), which states, "The employer and the exclusive representative shall not agree to any proposal which would be inconsistent with the merit principle or the principle of equal pay for equal work pursuant to section 76-1 or which would interfere with the rights and obligations of a public employer to:"

In addition, the deletion of the word "wilfully" in Section 89-13(a) and (b) has the potential for significantly expanding the scope of what may be pursued as a prohibited practice.

Thank you for the opportunity to testify on this important measure.

Harry Kim
Mayor



Wil Okabe
Managing Director

Barbara J. Kossow
Deputy Managing Director

County of Hawai'i Office of the Mayor

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Dear Chair Keith-Agaran and members:

Thank you for this opportunity to comment on SB 410.

SB 410 says its purpose is to “clarify” the allowable scope of collective bargaining negotiations regarding the rights and obligations of a public employer, and also “clarify” prohibited practices for parties to a public employment collective bargaining agreement. However, as we read the bill, its provisions would take away rights of the employer, and that is not acceptable.

Therefore, the County of Hawaii must oppose passage of this legislation, to the extent that it goes beyond mere clarification, and gets into substantive changes in the rights of the parties.

Respectfully submitted,

Wil Okabe
Managing Director
County of Hawaii

Bernard P. Carvalho, Jr.
Mayor



Janine M.Z. Rapozo
Director

Wallace G. Rezentes, Jr.
Managing Director

DEPARTMENT OF HUMAN RESOURCES

County of Kaua'i, State of Hawai'i

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February 7, 2017

TESTIMONY TO THE
SENATE COMMITTEE ON JUDICIARY AND LABOR
For Hearing on Thursday, February 9, 2017
9:05 am, Conference Room 016

By
JANINE M.Z. RAPOZO, DIRECTOR
COUNTY OF KAUA'I
DEPARTMENT OF HUMAN RESOURCES

Senate Bill No. 410
Relating to Collective Bargaining

CHAIRPERSON KEITH-AGARAN, VICE CHAIR RHOADS, AND MEMBERS OF THE
SENATE COMMITTEE ON JUDICIARY AND LABOR:

The County of Kaua'i, Department of Human Resources **opposes** S.B. No. 410 as this measure would interfere with the rights and obligations of a public employer by allowing negotiations on rights reserved to management.

S.B. No. 410 seeks to clarify the allowable scope of collective bargaining negotiations by requiring bargaining on subjects currently deemed "permissive." S.B. No. 410 compels the public employer to negotiate on permissive subjects which has been recognized in 89-9(d) as rights reserved to management.

Mahalo for your consideration.

Sincerely,

Janine M.Z. Rapozo
Human Resources Director

AN EQUAL OPPORTUNITY EMPLOYER

From: mailinglist@capitol.hawaii.gov
To: [JDLTestimony](#)
Cc:
Subject: *Submitted testimony for SB410 on Feb 9, 2017 09:05AM*
Date: Monday, February 6, 2017 2:24:13 PM

SB410

Submitted on: 2/6/2017

Testimony for JDL on Feb 9, 2017 09:05AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Don Couch	County of Maui - Mayor's Office	Oppose	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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HAWAII GOVERNMENT EMPLOYEES ASSOCIATION
AFSCME Local 152, AFL-CIO

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

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

Testimony by
Hawaii Government Employees Association

February 9, 2017

S.B. 410 - RELATING TO COLLECTIVE BARGAINING

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO strongly supports the purpose and intent of S.B. 410 which clarifies the allowable scope of collective bargaining negotiations and prohibited practices for parties to a collective bargaining agreement.

This important measure makes necessary amendments to Ch. 89-9, Hawaii Revised Statutes, to clarify and delineate the scope of bargaining between the public sector employers and the exclusive representatives. Additionally, this measure amends Ch. 89-13, HRS by equally removing the willful intent threshold for prohibited practice complaints for both public sector employers and exclusive representatives. The amendments contained in S.B. 410 are necessary to ensure fairness in the process of negotiations.

Thank you for the opportunity to testify in strong support of the passage of S.B. 410.

Respectfully submitted,

Randy Perreira
Executive Director



The Senate Committee on Judiciary and Labor
February 8, 2017

RE: SB 410, Collective Bargaining; Negotiations; Prohibited Practices

Attention: Chair Gilbert Keith-Agaran, Vice Chair Karl Rhoads and
Members of the Committee

The University of Hawaii Professional Assembly (UHPA) urges the committee to **support SB 410**, which encourages the parties to a collective bargaining agreement to negotiate in a manner that effectuates the purpose of Chapter 89. Such purpose includes recognizing that public employees have a voice in determining their working conditions. This proposed measure advances the cooperative relations between employers and employees that establishes a healthy collective bargaining environment.

UHPA encourages the Committee to **support SB 410**.

Respectfully Submitted,

Kristeen Hanselman
Executive Director

University of Hawaii
Professional Assembly