

HB2077 HD1

Measure Title: RELATING TO EMPLOYEE TRAINING.
Report Title: Public Employee Training; Collective Bargaining (\$)
Description: Establishes the Public Employees Training Program within the Department of Human Resources Development to provide training programs to improve and enhance state employees' understanding of their job duties. Allocates one percent of collective bargaining increases to the Public Employees Training Program. (HB2077 HD1)
Companion:
Package: None
Current Referral: LBR, WAM
Introducer(s): NAKASHIMA, SAIKI, AQUINO, BELATTI, CULLEN, FUKUMOTO, GATES, ICHiyAMA, JOHANSON, LUKE, NAKAMURA, NISHIMOTO, ONISHI, SAN BUENAVENTURA, TODD, YAMANE, YAMASHITA

<u>Sort by</u> <u>Date</u>		Status Text
1/19/2018	H	Pending introduction.
1/22/2018	H	Introduced and Pass First Reading.
1/26/2018	H	Referred to LAB, FIN, referral sheet 7
2/5/2018	H	Bill scheduled to be heard by LAB on Thursday, 02-08-18 9:00AM in House conference room 309.
2/8/2018	H	The committees on LAB recommend that the measure be PASSED, WITH AMENDMENTS. The votes were as follows: 7 Ayes: Representative(s) Johanson, Holt, Evans, Ichiyama, Keohokalole, Yamashita, Matsumoto; Ayes with reservations: none; Noes: none; and Excused: none.
2/15/2018	H	Reported from LAB (Stand. Com. Rep. No. 460-18) as amended in HD 1, recommending passage on Second Reading and referral to FIN.
2/15/2018	H	Passed Second Reading as amended in HD 1 and referred to the committee(s) on FIN with none voting aye with reservations; none voting no (0) and Representative(s) DeCoite, Ing, McDermott, Nakamura, Souki, Todd excused (6).
2/20/2018	H	Bill scheduled to be heard by FIN on Thursday, 02-22-18 1:30PM in House conference room 308.
2/22/2018	H	The committees on FIN recommend that the measure be PASSED, UNAMENDED. The votes were as follows: 13 Ayes: Representative(s) Luke, Cullen, Cachola, DeCoite, Fukumoto, Gates, Holt, Kobayashi, Lowen, Nakamura, Todd, Yamashita, Ward; Ayes with reservations: none; Noes: none; and 2 Excused: Representative(s) Keohokalole, Tupola.
3/2/2018	H	Reported from FIN (Stand. Com. Rep. No. 934-18), recommending passage on Third Reading.
3/2/2018	H	Passed Third Reading with none voting aye with reservations; none voting no (0) and Representative(s) Ing, San Buenaventura, Say, Yamane excused (4). Transmitted to Senate.
3/6/2018	S	Received from House (Hse. Com. No. 183).
3/6/2018	S	Passed First Reading.
3/6/2018	S	Referred to LBR, WAM.
3/12/2018	S	The committee(s) on LBR has scheduled a public hearing on 03-15-18 2:45PM in conference room 229.

S = Senate | **H** = House | **D** = Data Systems | **\$** = Appropriation measure | **ConAm** = Constitutional Amendment

Some of the above items require Adobe Acrobat Reader. Please visit [Adobe's download page](#) for detailed instructions.



STATE OF HAWAII
DEPARTMENT OF BUDGET AND FINANCE
P.O. BOX 150
HONOLULU, HAWAII 96810-0150

EMPLOYEES' RETIREMENT SYSTEM
HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND
OFFICE OF THE PUBLIC DEFENDER

ADMINISTRATIVE AND RESEARCH OFFICE
BUDGET, PROGRAM PLANNING AND
MANAGEMENT DIVISION
FINANCIAL ADMINISTRATION DIVISION
OFFICE OF FEDERAL AWARDS MANAGEMENT (OFAM)

WRITTEN ONLY
TESTIMONY BY LAUREL A. JOHNSTON
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE
TO THE SENATE COMMITTEE ON LABOR
ON
HOUSE BILL NO. 2077, H.D. 1

March 15, 2018
2:45 p.m.
Room 229

RELATING TO EMPLOYEE TRAINING

House Bill No. 2077, H.D. 1, establishes the Public Employees Training Program and governing board within the Department of Human Resources Development for administrative purposes. The bill also establishes the Public Employees Training Fund.

The bill proposes to earmark an amount equal to one per cent of the increase from the previous fiscal year of the general fund appropriations for collective bargaining cost items for deposit to the Public Employees Training Fund beginning August 1, 2018. It is unclear if this amount would need to be appropriated separately or if the funds would be transferred from the collective bargaining appropriations as there is no appropriation or provision to facilitate the transfer and implementation of this measure.

In either case, there may be potential timing issues depending on when appropriations are available for collective bargaining cost items, and/or this transfer, and when deposits or transfers to the special fund must be made. Further, there is concern that insufficient funds will be available for collective bargaining costs if funds are diverted from the departments. Additionally, we note that if there are no general funds

appropriated for collective bargaining cost items in a given year, there would be no amount earmarked in the subsequent year.

Further, as a matter of general policy, the Department of Budget and Finance does not support the creation of any special fund which does not meet the requirements of Section 37-52.3, HRS. Special funds should: 1) serve a need as demonstrated by the purpose, scope of work and an explanation why the program cannot be implemented successfully under the general fund appropriation process; 2) reflect a clear nexus between the benefits sought and charges made upon the users or beneficiaries or a clear link between the program and the sources of revenue; 3) provide an appropriate means of financing for the program or activity; and 4) demonstrate the capacity to be financially self-sustaining. As proposed, the fund would not have a source of revenue and would not be self-sustaining. It would be more appropriate to fund training costs directly through general fund and other special fund appropriations.

Thank you for your consideration of our comments.



The Judiciary, State of Hawai'i

Testimony to the Senate Committee on Labor

Senator Jill N. Tokuda, Chair
Senator J. Kalani English, Vice Chair

Thursday, March 15, 2018 2:45 PM
State Capitol, Conference Room 229

WRITTEN TESTIMONY ONLY

by
Dee Wakabayashi, Director
Judiciary Human Resources Department

Bill No. and Title: House Bill No. 2077, House Draft 1 Relating to Employee Training.

Purpose: Establishes the Public Employees Training Program within the Department of Human Resources Development to provide training programs to improve and enhance state employees' understanding of their job duties. Allocates one percent of collective bargaining increases to the Public Employees Training Program. (HB2077 HD1)

Judiciary's Position:

The Judiciary supports this bill and respectfully requests representation on the board of the public employees training program.

Continuing education for state employees will afford them opportunities to maintain the knowledge, skills, and education necessary to ensure the highest standards of professional conduct and performance. Investment in training and developing state employees will potentially result in a highly skilled, technologically literate, and professional workforce.

For the Judiciary, statutory amendments, new case law, changes in administrative and court rules, and new developments in best practices, make training necessary to fulfill the Judiciary's objective of assuring an equitable and expeditious adjudication process. Training is also an important component of providing access to the courts.



House Bill No. 2077 Public Employee Training; Collective Bargaining
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Continuing education programs should also provide opportunities to enhance supervisory, relational, and leadership skills to foster positive working environments, and develop in-house competencies for succession and career enhancement purposes.

Ongoing program development and training curricula must be relevant, current, and practical. Employees should also be encouraged to keep apprised of innovations within their respective fields. The creation of new training programs and enhancement of existing programs intended to meet the diverse needs of the workforce will facilitate the State's goal to develop highly skilled employees.

As the Judiciary fully supports the intent of this measure, it also requests representation on the board of the public employees training program. The composition of the board, as listed in the bill, includes representation from or appointments by the executive and legislative branches, as well as members from the University of Hawaii system and employee unions. It does not provide for representation or an appointment by the judicial branch. Adding a member from the Judiciary will create a well-rounded board and provide feedback from all branches of government.

Thank you for the opportunity to testify on this measure.



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 Labor

Testimony by
Hawaii Government Employees Association

March 15, 2018


H.B. 2077, H.D. 1 – RELATING TO EMPLOYEE TRAINING

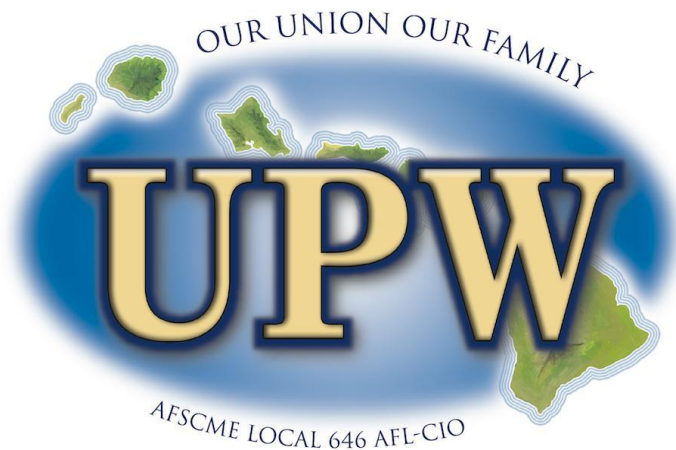
The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO conceptually supports the intent of H.B. 2077, H.D. 1 which adds a new section to Ch. 76, Hawaii Revised Statutes to establish the public employees training program and allocates the equivalence of 1% of collective bargaining increases of the general fund appropriation to the public employees training fund.

The projected number of eligible retirees within state government is staggering and will have a dramatic impact on services, therefore steps must be taken now to better prepare and train the next generation of employees. H.B. 2077 creates an employee training program that prioritizes orientation programs for new employees, entry-level and line supervisors, and professional development for career advancement. Implementation of these programs will ensure consistent training opportunities for all state workers, regardless of an employee's position or department. We strongly support dedicating more resources and opportunities to the state's most valuable asset – its employees.

Thank you for the opportunity to testify in support of the measure.

Respectfully submitted,


for Randy Perreira
Executive Director



The Hawaii State Senate
The Twenty-Ninth Legislature
Regular Session of 2018

Committee on Labor

The Honorable Jill N. Tokuda, Chair
The Honorable J. Kalani English, Vice Chair

Date of Hearing: Thursday, March 15, 2018
Time of Hearing: 2:45 p.m.
Place of Hearing: State Capitol, Room 229

Testimony On HB2077, HD1 Relating To Employee Training

By: Dayton M. Nakanelua
State Director of the United Public Workers,
AFSCME, Local 646, AFL-CIO

My name is Dayton M. Nakanelua, State Director of the United Public Workers, AFSCME, Local 646, and AFL-CIO (UPW). The UPW is the exclusive representative for approximately 12,000 public employees, which include blue collar, non-supervisory employees in Bargaining Unit 01 and institutional health and correctional employees in Bargaining Unit 10, in the State of Hawaii and four counties. The UPW also represents approximately 1,500 members in the private sector.

The UPW believes that training and continued training is necessary in making State government more efficient and effective. However, we **oppose HB2077, HD1 as written** particularly with the proposed funding of the program using funding from the appropriations for collective bargaining cost items. We only speak to Bargaining Units 01 and 10. We believe it is patently unfair and iniquitous for State government on one hand to negotiate with the exclusive representative and employees of Bargaining Unit 01 and Bargaining Unit 10 who negotiated in good faith, and on the other hand for State government to legislate and pass a law to take away 1% of the negotiated collective bargaining increase for a purpose not intended in negotiations.

The UPW proposes the following amendment to clarify the funding of the training program. Page 4, line 8 (1) "Beginning August 1, 2018, an amount equal to one per cent but not from the increase from the previous fiscal year of the general fund appropriations for collective

bargaining cost items in the agreements negotiated with the exclusive bargaining representatives of each collective bargaining unit.

The UPW requests the committee to **delete** from the committee report on page one item (3) "Allocate one per cent of collective bargaining increases to the Program."

The UPW also seeks to ensure that blue-collar employees are provided equal training opportunity for development. The following amendment on page 3, line 6 (3) is proposed: "Programs for professional and technical/vocational development of current employees to assist employees in career advancement;"

The UPW has concerns about the acquisition of training resources. The following amendment is proposed: page 5, line 6, add a new subsection © The program complies with State procurement laws and regulations in the contracting of private sector instructors, private sector resource persons or private sector subject matter experts for training.

The UPW appreciates the consideration of the committee in including the above-proposed amendments to the training bill.

Thank you for the opportunity to submit this testimony.