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STATE OF HAWAII
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February 11, 2019

TESTIMONY TO THE
SENATE COMMITTEE ON LABOR, CULTURE AND THE ARTS

For Hearing on Tuesday, February 12, 2019
3:40 p.m., Conference Room 224

By

RYKER WADA
DIRECTOR

Senate Bill No. 1349
Relating to Hours of Work

(WRITTEN TESTIMONY ONLY)

CHAIRPERSON TANIGUCHI, VICE-CHAIR IHARA AND MEMBERS OF THE
COMMITTEE:

S.B. 1349 authorizes staggered work weeks for public employees.

The Department of Human Resources Development (DHRD) appreciates the intent of this measure to alleviate traffic and pollution, shorten commute times, increase time with family and enjoy the island lifestyle. However, DHRD has concerns with S.B. 1349, as drafted, to the extent that it impacts employees' wages, hours and conditions of work which are matters subject to collective bargaining by statute. In addition, public sector employees currently have options available that allow for workplace flexibility, at the agencies' discretion, including:

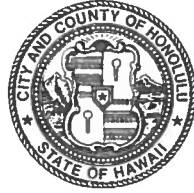
1. Flexible Working Hours. DHRD has a Policy and Procedure that affords

- employees the opportunity to arrange their individual work schedules according to specific guidelines and within certain time limits established by management (e.g., glide-time, staggered hours).
2. Alternative Workweek Program. The State has a negotiated Memorandum of Understanding with the Hawaii Government Employees Association (HGEA) that makes it easier for departments to implement Alternative Workweek Programs for their workforces. Various scheduling options are presented in the agreement whereby daily work times and designated days off may differ between employees.
 3. Telework Program. The State also has a negotiated Memorandum of Understanding with the HGEA that provides a viable alternative work option that departments may utilize to improve program effectiveness and employee productivity and morale; reduce traffic congestion; and effectively continue operations in times of emergency and/or disaster situations.

Thank you for considering our concerns and for the opportunity to testify on this measure.

POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

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OUR REFERENCE **ATY-JK**

February 12, 2019

The Honorable Brian T. Taniguchi, Chair
and Members
Committee on Labor, Culture and the Arts
State Senate
Hawaii State Capitol
415 South Beretania Street, Room 224
Honolulu, Hawaii 96813

Dear Chair Taniguchi and Members:

SUBJECT: Senate Bill No. 1349, Relating to Hours of Work

I am Aaron Takasaki-Young, Major of the Human Resources Division of the Honolulu Police Department (HPD), City and County of Honolulu.

The HPD opposes the passage of Senate Bill No. 1349. The current language appears to require the chief executive officer to grant an employee's chosen workweek schedule. Though HPD is supportive of the bill's intended purpose, the passage would interfere with the HPD's ability to effectively manage public safety operations, which is not limited to normal public business transaction hours (Monday to Friday, 7:45 a.m. to 4:30 p.m). Some of those operations include 24/7 patrol duties, vehicular accident investigations, police radio dispatchers and 911 emergency communications, maintenance of HPD vehicles, and forensic crime scene processing.

Presently, the HPD has over 2,000 employees and the allowance of employees to work a schedule upon their selection may result in an unequitable amount of employees choosing the same particular hours. This would be detrimental for the HPD to maintain our continued public services as the current language within the proposed bill does not provide an exemption in consideration of this impact. The HPD would not want to curtail or modify the amount of days or hours to provide available services to the public in lieu of this bill's passage.

The Honorable Brian T. Taniguchi, Chair
and Members
Committee on Labor, Culture and the Arts
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The HPD currently has a flexible working-hours program policy, which has been in effect since February 2014. The intention of the policy is similar to the proposed bill as it was implemented for the purpose of not only improving an employee's productivity, but as a measure of providing them with relief from peak-hour traffic congestion. This policy is primarily applicable to those employees who do not work in 24/7 coverage assignments, but during the normal public business hours workweek. Additionally, the allowance of modified working times is contingent upon operational feasibility which is determined by the employee's division or element commander/supervisor, who would grant a schedule change, unlike the language in the proposed bill.

Though the HPD urges you to oppose Senate Bill No. 1349, we are flexible in supporting the bill's intention with an exemption to provide the HPD managerial personnel with the ability or option to grant an employee's modified work schedule upon the determination of the operational impact on their division or element.

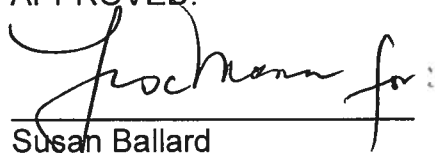
Thank you for the opportunity to testify.

Sincerely,



Aaron Takasaki-Young, Major
Human Resources Division

APPROVED:



Susan Ballard
Chief of Police



HAWAII GOVERNMENT EMPLOYEES ASSOCIATION

AFSCME Local 152, AFL-CIO

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

The Thirtieth Legislature, State of Hawaii
The Senate
Committee on Labor, Culture and the Arts

Testimony by
Hawaii Government Employees Association

February 12, 2019

S.B. 1349 – RELATING TO HOURS OF WORK

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO appreciates the intent but respectfully opposes S.B. 1349 which authorizes staggered work weeks for public employees because this is a mandatory subject of negotiations.

As the Exclusive Representative to eight bargaining units representing employees across the state, we are pleased to report that we have already entered into agreements with various jurisdictions to negotiate the terms and conditions of staggered work weeks for employees. While we appreciate the intent and thought offered in this measure, we respectfully oppose legislating staggered work weeks because it affects an employee's terms and conditions of employment and therefore is a mandatory subject of negotiations that should be resolved between Exclusive Representatives and Employers. Due to the complexity of an employee's required job duties and the Employer's operational needs, there is no one-size-fits-all solution and each employment situation must be addressed individually on a case by case basis. We will continue to work with the various Employers to identify opportunities to increase work hour flexibility.

Thank you for the opportunity to testify in opposition to S.B. 1349. We respectfully request that the Committee defer action on this measure.

Respectfully submitted,


for Randy Perreira
Executive Director