



International Union of Bricklayers and Allied Craftworkers Local #1 of Hawaii

2251 North School Street, Honolulu, HI 96819

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March 18, 2021

The Hawaii State House of Representatives
Committee on Labor & Tourism
The Honorable Richard Onishi, Chair
The Honorable Jackson Sayama, Vice Chair

RE: Strong Support for HCR58/HR47

The International Union of Bricklayers and Allied Craftworkers, Local #1 of Hawaii **would like to express its strong support for HCR58/HR47, which urges the United States Congress and President Joseph R. Biden to enact the Protecting the Right to Organize Act.**

The Protecting the Right to Organize (PRO) Act is a historic piece of federal legislation that will help to level the playing field for workers and give them the opportunity to exercise their right to organize a union.

Our union is proud of the relationship that we share with our signatory employers here in the islands, who provide vital building and construction services to both the public and private sectors. However, our members and our contractors are under assault by unscrupulous corporations and employers that abuse and deny their workers from having a meaningful voice in the workplace. The PRO Act would help to address these abuses and provide workers a fair shot at forming a union of their choice to bargain for better wages, benefits, and conditions in the workplace.

Too often, employers intentionally violate the law during organizing campaigns because some of the penalties are so weak that low-road employers just view them as a small cost of doing the business of union busting. The PRO Act strengthens penalties for such behavior in order to deter employers from interfering with workers' rights.

The PRO Act also clarifies the definition of independent contractor and supervisor to help prevent the misclassification of workers. Misclassification is far too common in the construction industry – and others as well – and prevents workers from exercising their rights, getting the pay and benefits they deserve, and deprives communities of much-needed revenue through tax evasion.

Our economy is too stacked against working people, and it is high time for Congress to step up to protect working class families and restore economic stability and the promise of the American Dream. We ask you to pass HCR58/HR47 so that we can encourage the United States Congress to pass the PRO Act and President Joseph R. Biden to enact the PRO Act as soon as possible.

Mahalo for the opportunity to provide this testimony.



INTERNATIONAL LONGSHORE & WAREHOUSE UNION
LOCAL OFFICE • 451 ATKINSON DRIVE • HONOLULU, HAWAII 96814 • PHONE 949-4161

HAWAII DIVISION: 100 West Lanikaula Street, Hilo, Hawaii 96720 • **OAHU DIVISION:** 451 Atkinson Drive, Honolulu, Hawaii 96814
MAUI COUNTY DIVISION: 896 Lower Main Street, Wailuku, Hawaii 96793 • **KAUAI DIVISION:** 4154 Hardy Street, Lihue, Hawaii 96766
HAWAII LONGSHORE DIVISION: 451 Atkinson Drive, Honolulu, Hawaii 96814

LOCAL 142

The Thirty-First Legislature
Regular Session of 2021

THE HOUSE

Committee on Labor & Tourism

Rep. Richard H.K. Onishi, Chair

Rep. Jackson D. Sayama, Vice Chair

State Capitol, Conference Room 312

Thursday, March 18, 2021; 9:00 a.m.

STATEMENT OF THE ILWU LOCAL 142 ON HCR 58 / HR 47 URGING THE UNITED STATES CONGRESS AND PRESIDENT JOSEPH R. BIDEN TO ENACT THE PROTECTING THE RIGHT TO ORGANIZE ACT

The ILWU Local 142 **supports** HCR 58 and HR 47 which urges the United States Congress and President Biden to enact the Protecting the Right to Organize Act.

In the United States, wealth inequality continues to rise and the wage gap between the rich and the poor continues to grow at an exponential rate. Just last year, during the Covid-19 pandemic, millions of Americans lost their jobs, yet billionaires increased their wealth by a staggering \$1.3 trillion. This type of wealth inequality shows the system is broken and something needs to be done to bring power back to the workers and help revitalize the working class.

Supporting the PRO Act is a step in the right direction and will bring power back to the workers by essentially repealing 'right-to-work' for less laws, allow for workers to organize easier and prevent employer interference in union elections. The data is clear. When workers organize, workers earn more, have far better benefits and protections, and have a voice on the job.

Simply put, we need to fix our broken system and the PRO Act will help do just that. Without change, the rich will only get richer and workers will continue to struggle to make ends meet. We strongly encourage the passage of HCR 58 and HR 47.

Thank you for the opportunity to testify.

HCR-58

Submitted on: 3/16/2021 10:49:19 AM

Testimony for LAT on 3/18/2021 9:00:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---|---------------------------|---------------------------|
| Michael Golojuch Jr | LGBT Caucus of the Democratic Party of Hawaii | Support | No |

Comments:

Aloha Representatives,

The LGBT Caucus of the Democratic Party of Hawai'i, Hawaii's oldest and largest policy and political LGBTQIA+ focused organization, fully supports HCR 58.

Mahalo nui loa for your time and consideration,

Michael Golojuch, Jr.

Chair

LGBT Caucus of the Democratic Party of Hawai'i



**International Union of Painters and Allied Trades
District Council 50**

TO THE HOUSE COMMITTEE ON LABOR AND TOURISM
THIRTY-FIRST LEGISLATURE
REGULAR SESSION 2021

TIME/DATE: Thursday, March 18, 2021, 9:00 a.m.

**TESTIMONY ON HOUSE CONCURRENT RESOLUTION NO. 58 AND HOUSE
RESOLUTION NO. 47 – “URGING THE UNITED STATES CONGRESS AND
PRESIDENT JOSEPH R. BIDEN TO ENACT THE PROTECTING THE RIGHT TO
ORGANIZE ACT.”**

**TO REPRESENTATIVE RICHARD ONISHI, CHAIR AND MEMBERS OF THE
COMMITTEE ON LABOR AND TOURISM:**

The International Union of Painters and Allied Trades, District Council 50 (IUPAT, DC50) is a union of unions that includes the Painters, Local Union 1971; the Tapers, Local Union 1944; the Glaziers, Local Union 1886; the Carpet and Soft Tile Layers, Local Union 1926 and the Specialty Workers, Local Union 1941. Together, we have approximately two thousand members, who work in the Finishing Trades as industrial and commercial painters, drywall finishers, wall coverers, glaziers, glass workers and floor covering installers. My name is Lorna Woo, Director of Government Affairs, and I want to express my thanks for this opportunity to voice our **strong support** for House Concurrent Resolution 58 and House Resolution 47. These measures urge Congress and President Biden to enact the Protecting the Right to Organize Act of 2021, H.R. 842, 117th Cong. (the "PRO Act").

According to a recent survey, nearly half of Americans indicated they would join a union if they had the opportunity. Only 10.7 percent of Americans belonged to a union, however. This clearly indicates a problem exists with our labor laws, which have not been amended to keep pace with changing times and have been weakened over the last few decades by anti-union efforts. The weakening of labor laws and unions has resulted

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in an imbalanced economy, an increasingly stratified society, and a lower standard-of-living for Americans.

On March 9, 2021, the United States House of Representatives passed the PRO Act to redress the problems with our labor laws and strengthen them to make them more effective in changing times. Among other things, the PRO Act expands opportunities for union formation and union membership growth; closing loopholes in the existing law; limits the damage to unions caused by right-to-work laws; and gives real enforcement authority to the National Labor Relations Board.

The changes that the PRO Act will bring about are crucial to restoring balance between labor and management, building an economy that is more just, and raising the standard of living for working class people in America.

Mahalo for the opportunity to express our support and we respectfully urge the passage of House Concurrent Resolution 58 and House Resolution 47.



HAWAII GOVERNMENT EMPLOYEES ASSOCIATION
AFSCME Local 152, AFL-CIO

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

The Thirty-First Legislature, State of Hawaii
House of Representatives
Committee on Labor and Tourism

Testimony by
Hawaii Government Employees Association

March 18, 2021

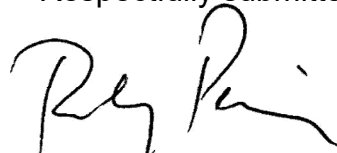
H.C.R. 58/H.R. 47 – URGING THE U.S. CONGRESS
AND PRESIDENT JOSEPH BIDEN TO ENACT
THE PROTECTING THE RIGHT TO ORGANIZE ACT

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO strongly supports the purpose and intent of H.C.R. 58 and H.R. 47 which urges the United States Congress and President Joseph Biden to enact the Protecting the Right to Organize (PRO) Act.

The PRO Act is being hailed as the most significant worker empowerment federal legislation since the Great Depression because it will empower employees to exercise the freedom to organize and collectively bargain, ensure that workers can quickly secure a contract once a union is recognized, end the harmful practice of punishing workers who strike by hiring replacement workers, and hold corporations accountable by strengthening the National Labor Relations Board. Passage of this critical legislation will significantly strengthen our economy by increasing wages and rebuilding the middle class and is crucial to restoring a healthy balance between the rights of labor and management.

Thank you for the opportunity to testify in strong support of H.C.R. 58 and H.R. 47.

Respectfully submitted,



Randy Perreira
Executive Director



Malcolm Barcarse, Jr.
A&B Electric Co., Inc.
Chairman

Kathryn Mashima
Mashima Electric
Chairman Elect

Ross Kawano
ECA, LLP
Treasurer/Secretary

Jarrett Walters
Hawaiian Building
Maintenance

Canaan Shon
Hawaii Geophysical Services

Ralph Sakauye
Bora, Inc.

Kevin Schmid
Oceanic Companies, Inc.



Geoffrey Chu
Oceanic Companies, Inc.
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Hawaii Plumbing Group, LLC
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March 18, 2021

To: Committee on Labor and Tourism
Rep. Richard H.K. Onishi, Chair
Rep. Jackson D. Sayama, Vice Chair

From: Malcolm Barcarse, Jr. ABC Hawaii Board Chair

Associated Builders and Contractors Hawaii Chapter Testimony in **STRONG OPPOSITION** to HCR 58

Chair Onishi, Vice Chair Sayama and members of the Committee:

Thank you for the opportunity to testify, my name is Malcolm Barcarse, Jr. I am currently the Chair of Associated Builders and Contractors, Hawaii Chapter which represents over 170 member companies in the Construction Industry in Hawaii. We also have a State Approved Trade Apprenticeship Program in the trades of Carpentry, Electrical, Painting, Plumbing and Roofing. Our national organization has over 21,000 members across 69 chapters.

The Protecting the Right to Organize (Pro) Act does not achieve what title suggests, protecting the rights of workers to decide whether or not to join a union. This bill's aim is to increase union density and coverage without regard to the consequences for workers, job creators and the economy as a whole.

The National Labor Relations Act provides a democratic process for workers to organize and gives the workers the right to decide in a democratic election whether or not to join a union. The Pro Act would upend this democratic process by instituting a backdoor "card check," which would in many cases replace union elections with a system that forces employees to sign union authorization cards in front of coworkers and union organizers. This undemocratic process is not how protect working conditions for local people.

In addition, this bill would hurt employees to who choose to work as independent contractors or participate in the "gig" economy. The provision would use the "ABC" test, the standard adopted in California's disastrous AB 5, to forcibly reclassify many independent contractors as employees. AAF research found that a national version of AB 5 could put up to 8.5% of gross domestic product at risk.

ABC Hawaii Staff

Jeffrey Durham – President/CEO Renee Rosehill – Operations Manager
Ken Wilson – Education Director Justin Ou – CEF Service Coordinator

Finally, this bill would hurt small business that have been struggling during this pandemic. The Pro Act would Strip “secondary boycott” protections that prevent unions from using their antitrust exemptions and immunity from certain state laws to target businesses for anticompetitive purposes other than organizing. This would allow unions to protest and boycott companies that are not directly involved in a labor dispute by eliminating the NLRA’s 70-year ban on secondary boycott activity. If this provision is signed into law, unions could target not only the employer involved in a labor dispute but also any company that does business with that employer. Also, it would Interfere with attorney-client confidentiality and make it harder for businesses, particularly small businesses, to secure legal advice on complex labor law matters. This is not the type of burden that our local small business have to endure at this time.

The Pro Act is a bill that strips away employees right to have a free and fair election to determine whether or not they want to have a union. Furthermore, this bill would create tremendous burdens on the job creators that provide these jobs at exactly the wrong time. Therefore we ask that this committee not adopt this resolution.

Thank you for the opportunity to testify.



COMMITTEE ON LABOR & TOURISM

Rep. Richard H.K. Onishi, Chair

Rep. Jackson D. Sayama, Vice Chair

HEARING DATE: Thursday, March 18, 2021

TIME: 9:00 a.m.

PLACE: VIA VIDEOCONFERENCE

**HCR 58
IN SUPPORT**

Aloha Chair Onishi, Vice Chair Sayama and Committee Members,

This testimony is being submitted on behalf of the membership of the International Brotherhood of Electrical Workers Local 1260. IBEW Local 1260 represents more than 3000 members throughout the Pacific, across the Hawaiian Islands, Guam and Wake Island. We appreciate the opportunity to testify in strong support of HCR 58.

For decades, the labor movement has been under attack from Corporations and special interests. These efforts have been with the sole purpose of weakening employee's ability to organize and bring a voice to their workplace. The PRO Act is strong legislation that starts the process of restoring some of the rights that have been systematically striped away.

We appreciate your consideration of our testimony and strongly encourage passage of HCR 58.

Respectfully submitted,
Leroy Chincio
Business Manager and Financial Secretary
International Brotherhood of Electrical Workers
Local 1260
700 Bishop Street #1600
Honolulu, HI 96813



Randy Perreira
President

HAWAII STATE AFL-CIO

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The Thirty-First Legislature, State of Hawai'i
Hawai'i State House of Representatives
Committee on Labor & Tourism

Testimony by
Hawai'i State AFL-CIO
March 18, 2021

H.C.R. 58 – URGING THE UNITED STATES CONGRESS AND PRESIDENT JOSEPH R. BIDEN TO ENACT THE PROTECTING THE RIGHT TO ORGANIZE ACT

The Hawai'i State AFL-CIO is a state federation of 74 affiliate local unions and councils with over 68,000 members across both public and private sectors. We appreciate the opportunity to testify in strong support of H.C.R. 58.

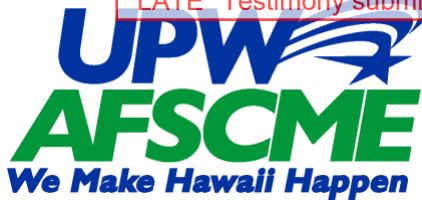
Worker protections have eroded over recent decades. Today, workers in America favor unions and tens of millions want to join one. Research from the Massachusetts Institute of Technology [shows](#) more than 60 million people would vote to join a union today if given the opportunity. Union density [rose](#) in 2020 amid the deadly coronavirus pandemic and the failed federal response to it. Gallup [found](#) that union approval stands at 65%, one of the highest marks in a half-century.

The PRO Act addresses several major problems with the current law and intends to give workers a fair chance to organize when they join with coworkers to form a union and bargain for living wages, better benefits, and safe conditions at their workplaces.

We appreciate your consideration of our testimony and strongly urge passage of H.C.R. 58.

Respectfully submitted,

Randy Perreira
President



**HOUSE OF REPRESENTATIVES
THE THIRTY-FIRST LEGISLATURE
REGULAR SESSION OF 2021**

COMMITTEE ON LABOR AND TOURISM
Representative Richard Onishi, Chair
Representative Jackson Sayama, Vice Chair

Thursday, March 18, 2021, 9:00 AM
Conference Room 312 and via Videoconference

Re: Testimony in Support of HCR58/HR47 – URGING THE UNITED STATES CONGRESS AND PRESIDENT JOSEPH R. BIDEN TO ENACT THE PROTECTING THE RIGHT TO ORGANIZE ACT

Chair Onishi, Vice Chair Sayama, and Members of the Committee on Labor and Tourism:

The United Public Workers, AFSCME Local 646, AFL-CIO (“UPW”) is the exclusive bargaining representative for approximately 14,000 public employees, which includes blue collar, non-supervisory employees in Bargaining Unit 1 and institutional, health, and correctional employees in Bargaining Unit 10, in the State of Hawaii and various counties. The UPW also represents 1,500 members in the private sector.

UPW **strongly supports** HCR58 and HR47 which urges the United States Congress and President Joe Biden to enact the Protecting the Right to Organize Act, also known as the PRO Act. The PRO Act is the labor community’s top legislative priority and would provide protections for workers trying to organize and join a union and helps to level the playing field for working people across the country who are trying to get their voices heard. In addition to this, the PRO Act would also implement meaningful and enforceable penalties for companies that violate workers rights. We were pleased to see that the U.S. House of Representatives passed the PRO Act on a bipartisan vote earlier this month, and we hope that the U.S. Senate will be able to pass this legislation for President Biden to sign into law.

Hawaii’s public unions will continue to advocate for the passage of this bill with our Congressional Delegation and we would like to thank Senators Schatz and Hirono and Representatives Case and Kahele for sponsoring this important legislation.

Thank you for the opportunity to submit this testimony.



The Voice That Makes The Difference

OPEIU LOCAL 50

Daniel Ross, RN
President

Gary Nuber
Director of Field Services

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Honolulu, HI 96819

Tel: (808) 531-1628
Fax: (808) 524-2760

March 16, 2021

Chair Onishi, Vice Chair Sayama, and the members of the House
Committee on Labor and Tourism;

Hawaii Nurses' Association is in **Strong support of HR 47 and HCR 58;**
URGING THE UNITED STATES CONGRESS AND PRESIDENT JOSEPH
R. BIDEN TO ENACT THE PROTECTING THE RIGHT TO ORGANIZE
ACT.

This act in part Empowers workers to enforce their labor rights under the National
Labor Relations Act.

The passage of the Protecting the Right to Organize Act is crucial to restoring a
healthy balance between the rights of labor and management and raising the
standard-of-living of the working class.

Hawaii Nurses Association respectfully requests that HR 47 and HCR
58 be passed to urge the United States Congress and the President of
the United States are urged to enact the Protecting the Right to
Organize Act as expeditiously as possible.

Aloha,

Daniel Ross
President HNA



March 18, 2021

Hawaii State Legislature
House Committee on Labor & Tourism
415 South Beretainia Street
Honolulu, Hawaii 96813

RE: HCR 58/ HR47 URGING THE UNITED STATES CONGRESS & PRESIDENT JOSEPH R. BIDEN TO ENACT THE PROTECTING THE RIGHT TO ORGANIZE ACT.

Aloha Chair Onishi, Vice Chair Sayama, and Members of the Committee,

My name is Gino Soquena, Executive Director of the Hawaii Building & Construction Trades Council (HBCTC) which is comprised of 16 construction trade unions here in the State of Hawaii. I would like to offer written testimony in **STRONG SUPPORT** of House Concurrent Resolution 58 & House Resolution 47 which urges the United States Congress & President Joseph R. Biden to enact the Protecting the Right to Organize Act (PRO Act).

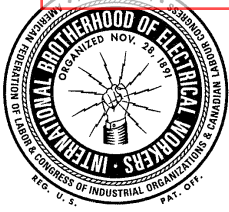
HBCTC and its Affiliates are strong Union organizations. We stand in solidarity with all of labor. The PRO Act will strengthen federal laws that protect workers' rights to join a union like introducing meaningful and enforceable penalties for employers that violate workers' rights and making it an unfair labor practice for employers that discourage workers wanting to join a union. It will also expand penalties for labor law violations like the misclassification of workers.

For these reasons, the HBCTC **STRONGLY SUPPORTS** HCR 58 and HR 47 and respectfully asks that your committee approve these Resolutions.

Mahalo Nui Loa,

A handwritten signature in blue ink, appearing to read 'Gino Soquena', is written over a large, faint watermark of the HBCTC logo.

Gino Soquena
Executive Director
Hawaii Building & Construction Trades Council



International Brotherhood of Electrical Workers

LOCAL UNION NO. 1186 • Affiliated with AFL-CIO

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TO: HOUSE COMMITTEE ON LABOR & TOURISM
Hearing on Thursday, March 18, at 9:00a.m., in Conference Room 312 and
VIDEOCONFERENCE.

RE: TESTIMONY IN **SUPPORT** OF HCR 58 / HR 47

Honorable Chair Richard H.K. Onishi, Vice Chair Jackson D. Sayama, and
Committee Members:

The International Brotherhood of Electrical Workers Local Union 1186 (IBEW 1186), is comprised of over 3,400 men and women working in electrical construction, telecommunications, Spectrum, civil service employees, and educator and faculty associations.

The United States House of Representatives, H.R. 842, Protecting the Right to Organize (PRO) Act is essential in strengthening federal laws for workers that deserve to have a collective voice and the right to join a union. Unions have allowed workers to negotiate fair and decent wages, adequate health care and other benefits, safe workplace conditions, and receive meaningful representation.

The PRO Act expands collective bargaining rights and protections for workers and closes loopholes that have been used by corporations to exploit workers' rights, interfere with union elections, and fail to negotiate in good faith and reach contract agreements.

IBEW 1186 supports HCR 58/HR 47, and asks this committee to pass this resolution so that it may be forwarded to the United States Congress and President Joseph R. Biden for enactment and immediate benefit to the workers across the State of Hawaii and throughout the United States of America.

Thank you for the opportunity to testify in **SUPPORT** of this measure.

Sincerely,

Damien T.K. Kim
Business Manager/
Financial Secretary

HCR-58

Submitted on: 3/16/2021 8:07:58 AM

Testimony for LAT on 3/18/2021 9:00:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Mike Golojuch, Sr. | Individual | Support | No |

Comments:

I support both HCR58 and HR47.

Mike Golojuch, Sr.

Member, Labor Caucus, Democratic Party of Hawai`i

HCR-58

Submitted on: 3/16/2021 10:46:46 AM

Testimony for LAT on 3/18/2021 9:00:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|------------------------|---------------------|---------------------------|---------------------------|
| Pride at Work - Hawaii | Individual | Support | No |

Comments:

Aloha Representatives,

Pride at Work - Hawai'i, the state-wide chapter of Pride At Work (a constituency group of the national AFL-CIO) and an affiliate of the Hawai'i State AFL-CIO, fully supports HCR 58.

Mahalo nui loa,

Pride at Work - Hawai'i