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February 7, 2021

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

For Hearing on Monday, February 8, 2021
3:00 p.m., Conference Room 225

By

RYKER WADA
DIRECTOR

Senate Bill No. 1275
Relating to Public Employees

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

Thank you for the opportunity to provide testimony in **opposition** to S.B. No. 1275, which requires each state government branch to establish a shared leave program for state employees.

The Department of Human Resources Development appreciates the intent of the bill but has concerns that it expands the existing leave sharing program for public sector employees across the separate employer jurisdictions as set forth by statute. S.B. 1275 proposes to amend Section 78-26, HRS, Leave Sharing Program, which allows for the establishment of leave sharing programs within jurisdictions to allow employees who earn vacation to donate accumulated vacation leave credits to another employee within the same jurisdiction who has a serious personal illness or injury.

As written, S.B. 1275 would require an assessment of existing policies and programs across all jurisdictions to assess integration into a centralized system prior to design and implementation. This process would need to be coordinated and agreed upon across all State

jurisdictions, and a budget for staffing, software development and maintenance, security, and hosting would need to be considered and accounted for, for this measure to proceed.

As the conditions for usage include limitations over the life of an employee's State employment, a comprehensive and sustainable tracking system would also be necessary.

Authority for the grant and appeals process would require formalization to include a multi-jurisdictional board or referee to insure fairness and transparency across the affected jurisdictions.

DHRD also notes that there may be fiscal implications associated with implementing a leave sharing program. Currently, there is no information regarding who donates leaves, who accesses leave and the associated monetary value of such. Depending on the actual usage of shared leave there may be further unanticipated costs accrued to the State.

For the reasons above, we request that S.B. 1275 be **held**.

Thank you for the opportunity to provide testimony in opposition to this measure.

SB-1275

Submitted on: 2/6/2021 3:52:31 PM

Testimony for LCA on 2/8/2021 3:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
David Anderson	Individual	Support	No

Comments:

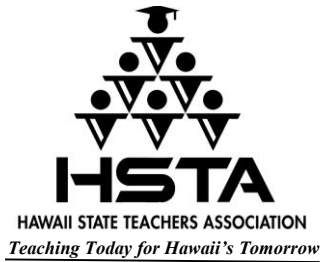
SB 1275 will show that government takes ethics quite seriously. Public employees are also public servants. It is not right that they can defraud the public and destroy our confidence in government and still reap the benefits of their criminal misconduct. If this were to occur, then the only losers are the people and democracy.

This bill is about ethics and restoring the public's trust in government and is not about revenge. Families of the convicted governmental employees who rely on the pensions are protected under the bill. SB 1275 provides that, upon the convicted governmental employees' passing, their pensions may be awarded to the designated beneficiaries. Due process is afforded, and the pension is only forfeited pursuant to court order, under SB 1275 .

In these dire economic times for our state, Hawaii cannot afford the pensions of individuals who have defrauded this state and betrayed the public trust.

There has been concern expressed as to what the convicted government employee (and the employee's family) may lose if the pension were to be lost. A more important concern is that which is lost by the public - the people - when a government employee abuses his/her/their position of power, trust, and authority. People need to have confidence in our government so please act to restore that trust through ethics reform.

Thank you for the opportunity to testify in support of SB 1275, and I respectfully urge the Committee members to pass SB 1275 out of Committee.



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TESTIMONY BEFORE THE SENATE COMMITTEE ON LABOR, CULTURE & THE ARTS

RE: SB 1275 - RELATING TO PUBLIC EMPLOYEES

MONDAY, FEBRUARY 8, 2021

COREY ROSENLEE, PRESIDENT
HAWAII STATE TEACHERS ASSOCIATION

Chair Taniguchi and Members of the Committee:

The Hawaii State Teachers Association **strongly supports SB 1275**, relating to public employees. This bill requires each state government branch to establish a shared leave program for state employees. Precludes state government branches and counties that have a shared leave program from prohibiting leave sharing between employees of different departments or bargaining units because of administrative infeasibility. Allows a public employee to designate beneficiaries to the employee's unpaid vacation allowance and wages through a statement that is not verified or written.

Shared leave can save lives. Under the state's current leave sharing program, according to the Hawai'i State Department of Human Resources Development, an employee may be eligible to give and receive donated vacation credits *within* their department to "ease the burden of fellow departmental co-workers who would otherwise need to take time off from work without pay to recover from a serious personal illness/injury or to care for a family member who has a serious personal illness/injury and is incapable of self-care."

Our state does not currently provide for shared leave *across* state departments. We do not believe that a lack of resources for tracking interdepartmental leave sharing is a good excuse for preventing state employees from contributing to the wellness of their colleagues. On the contrary, we contend that the generosity of state workers in contributing to the wellness of their peers and their coworkers' families advances a holistic approach to wellness, in which employees are seen as valued members of an integrated team, rather than disposable cogs in a bureaucratic machine.

To enhance the well-being of our state employee community, the Hawaii State Teachers Association asks your committee to **support** this bill.

SB-1275

Submitted on: 2/6/2021 10:09:26 AM

Testimony for LCA on 2/8/2021 3:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
tlaloc tokuda	Individual	Support	No

Comments:

SB 1275 is **not** about punishment or retribution. It is about ethics and restoring the public's trust in government. SB 1275 is not about revenge, because families of the convicted governmental employees who rely on the pensions are protected under the bill. SB 1275 provides that, upon the convicted governmental employees' passing, their pensions may be awarded to the designated beneficiaries. Due process is afforded, and pension is only forfeited pursuant to court order, under SB 1275 .

In these dire economic times for our state, Hawaii cannot afford (both literally and figuratively) the pensions of individuals who have defrauded this state and betrayed the public trust.

Much concern is given to what the convicted government employee (and the employee's family) may lose if the pension were to be lost. We also need to consider that much is lost by the public - the people - when a government employee abuses his/her/their position of power, trust, and authority. As we have seen, democracy is fragile; people need to have confidence in our government. Please act to restore that trust through ethics reform.

Thank you for the opportunity to testify in support of SB 1275, and we respectfully urge the Committee members to pass SB 1275 out of your Committee.

Mahalo for your consideration,

Tlaloc Tokuda

Kailua Kona, 96740



HAWAII GOVERNMENT EMPLOYEES ASSOCIATION
AFSCME Local 152, AFL-CIO

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The Thirty-First Legislature, State of Hawaii
The Senate
Committee on Labor, Culture and the Arts

Testimony by
Hawaii Government Employees Association

February 8, 2021

S.B. 1275 – RELATING TO PUBLIC EMPLOYEES

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO strongly supports the purpose and intent of S.B. 1275 which requires each state government branch to establish a shared leave program for state employees and precludes a state government branch from prohibiting leave sharing between different departments or bargaining units because of 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. Creating a shared leave program where employees can donate to different departments significantly expands the pool of eligible leave donors and allows for more employees to participate. We respectfully request that should this measure become law, the Employer consult with the Exclusive Representatives on its implementation.

Thank you for the opportunity to testify in strong support of S.B. 1275.

Respectfully submitted,

Randy Perreira
Executive Director