

SR-129

Submitted on: 3/19/2021 1:59:13 PM

Testimony for LCA on 3/22/2021 3:05:00 PM

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

Comments:

Aloha Senators,

The LGBT Caucus of the Democratic Party of Hawai'i, Hawaii's oldest and largest policy and political LGBTQIA+ focused organization, fully supports SR 129.

Mahalo nui loa for your time and consideration,

Michael Golojuch, Jr.

Chair

LGBT Caucus of the Democratic Party of Hawai'i



**THE SENATE
THE THIRTY-FIRST LEGISLATURE
REGULAR SESSION OF 2021**

COMMITTEE ON LABOR, CULTURE AND THE ARTS

Senator Brian Taniguchi, Chair
Senator Les Ihara Jr., Vice Chair

Monday, March 22, 2021, 3:05 PM
Conference Room 225 and via Videoconference

**Re: Testimony in Support of SCR164/SR129 – 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** SCR164 and SR129 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.

**UNITED PUBLIC WORKERS
AFSCME Local 646, AFL-CIO**





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
The Senate
Committee on Labor, Culture and the Arts

Testimony by
Hawaii Government Employees Association

March 22, 2021

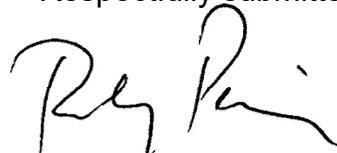
**S.C.R. 164/S.R. 129 – URGING THE U.S. CONGRESS
AND PRESIDENT JOSEPH BIDEN TO ENACT
THE PROTECTING THE RIGHT TO ORGANIZE ACT**

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO strongly supports the purpose and intent of S.C.R. 164 and S.R. 129 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 S.C.R. 164 and S.R. 129.

Respectfully submitted,



Randy Perreira
Executive Director



Randy Perreira
President

HAWAII STATE AFL-CIO

888 Mililani Street, Suite 501 • Honolulu, Hawaii 96813

Telephone: (808) 597-1441
Fax: (808) 593-2149

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

Testimony by
Hawai'i State AFL-CIO
March 22, 2021

S.R. 129 – 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 S.R. 129.

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 S.R. 129.

Respectfully submitted,

Randy Perreira
President



To: Senate Committee on Labor, Culture & The Arts
Attn: Chair Brian Taniguchi, Vice Chair Les Ihara, Committee members

Hawai'i Workers Center Testimony for March 22, 2021's Committee Hearing
Supporting SCR164/SR129, Urging the United States Congress and President Joseph R. Biden to Enact the Protecting the Right to Organize Act

The Hawai'i Workers Center (HWC) is a resource and organizing center that addresses the issues and concerns of unemployed workers, low-wage workers and immigrants. For the past several months, we have been publicly advocating for unemployed workers, urging the Department of Labor & Industrial Relations (DLIR) to reopen its unemployment offices and provide safe, direct, in-person services for the thousands of workers who have been furloughed or permanently laid off since March 2020. Given the poor condition of DLIR's archaic mainframe computer, the difficulty of submitting a claim, and the department's failure to be responsive to claimants' emails and phone calls, direct servicing that keeps claimants and public employees safe is urgent and essential.

According to the United States Bureau of Labor Statistics, in 2020, 23.7% of wage and salary workers were members of a union here in Hawai'i. That is more than twice as high as the 10.8% of employed wage and salary workers in the U.S. who were members of a union in 2020. While we should appreciate the historic gains of Hawai'i's labor movement, which has allowed for us to have a higher average of unionized workers than the rest of the country, we need to build on the legacy of their struggles on the picket line. The Protect the Right to Organize (PRO) Act of 2021 can help!

Considered the biggest labor law reform since the Taft-Hartley Act of 1947, the PRO Act would make it a lot easier for workers to organize a union in their workplace, while limiting the power of their employers to interfere in that process. It would, among many other provisions, stop employers from requiring their workers to attend anti-union captive audience meetings, allow for secondary boycotts, stop employers from

permanently replacing striking workers, and ensure that new unions are able to reach a first contract. **The content of this legislation as well as the national organizing effort and political battle to get this passed, has the potential to revitalize the labor movement in this country, putting power in the hands of the workers again. We at the Hawai'i Workers Center support strengthening or adding provisions into our labor laws, like the PRO Act will do, to protect workers' right to form unions or associations to collectively bargain, advance their interests and improve their work conditions and standard of living.**

Locally, we have to keep in mind that 23.7% means that most of the workers here in Hawai'i are not union members, including the low-income workers and immigrant workers that HWC seeks to empower, who may not be aware of their rights. We need to also include in their ranks, the workers who have lost their union jobs because of the COVID-19 pandemic. We hope that regardless of whether or not the PRO Act passes Congress, Hawai'i's labor movement will organize the unorganized once more.

Please pass SCR164/SR129 out of your committee, allowing for it to be considered by the full Senate.

Which side are you on?

Submitted by Rev. Sam Domingo, John Witeck, and Jun Shin of the Hawai'i Workers Center

Phone Number: 808-255-6663

Email: hiworkerscenter@gmail.com



March 22, 2021

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

To: Committee on Labor, Culture and the Arts
Sen. Brian T. Taniguchi, Chair
Sen. Les Ihara, Jr., Vice Chair

Kathryn Mashima
Mashima Electric
Chairman Elect

From: Malcolm Barcarse, Jr. ABC Hawaii Board Chair

Ross Kawano
ECA, LLP
Treasurer/Secretary

Associated Builders and Contractors Hawaii Chapter Testimony in **STRONG OPPOSITION** to SR 129

Jarrett Walters
Hawaiian Building
Maintenance

Chair Taniguchi, Vice Chair Ihara and members of the Committee:

Canaan Shon
Hawaii Geophysical Services

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.

Ralph Sakauye
Bora, Inc.

Kevin Schmid
Oceanic Companies, Inc.

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.



Geoffrey Chu
Oceanic Companies, Inc.
Chairman

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.

Kimo Pierce
Hawaii Plumbing Group, LLC
Chairman Elect

David Tsuda
First Hawaiian Bank
Treasurer

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.

Ross Kawano
ECA, LLP
Secretary

Scott Massner
Helix Electric

Maurice Torigoe
M. Torigoe Plumbing, Inc.

Michelle Taketa
StarCom Builders, Inc.

Christine Lanning
Integrated Security
Technologies, Inc.

2021 CEF ETTF Board of Trustees

Joe Ferrara
Consolidated Painting LLC

Leonard Tanaka
T&T Electric, Inc.

Thiel Harryman
Nova Group

ABC Hawaii Staff

Jeffrey Durham – President/CEO
Ken Wilson – Education Director

Renee Rosehill – Operations Manager
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.



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 SENATE

Committee on Labor, Culture and The Arts

Senator Brian T. Taniguchi, Chair

Senator Les Ihara, Jr., Vice Chair

State Capitol, Conference Room 225 & Videoconference

Monday, March 22, 2021; 3:05 p.m.

STATEMENT OF THE ILWU LOCAL 142 ON SCR 164 / SR 129 URGING THE UNITED STATES CONGRESS AND PRESIDENT JOSEPH R. BIDEN TO ENACT THE PROTECTING THE RIGHT TO ORGANIZE ACT

The ILWU Local 142 **supports** SCR 164 and SR 129 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 SCR 164 and SR 129.

Thank you for the opportunity to testify.

TO THE SENATE COMMITTEE ON LABOR, CULTURE AND THE ARTS
THIRTY-FIRST LEGISLATURE
REGULAR SESSION 2021

TIME/DATE: Monday, March 22, 2021, 3:05 p.m.

TESTIMONY ON SENATE CONCURRENT RESOLUTION NO. 164 AND SENATE RESOLUTION NO. 129 – “URGING THE UNITED STATES CONGRESS AND PRESIDENT JOSEPH R. BIDEN TO ENACT THE PROTECTING THE RIGHT TO ORGANIZE ACT.”

TO SENATOR BRIAN TANIGUCHI, CHAIR AND MEMBERS OF THE COMMITTEE ON LABOR, CULTURE AND THE ARTS:

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 Senate Concurrent Resolution 164 and Senate Resolution 129. 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

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 Senate Concurrent Resolution 164 and Senate Resolution 129.



COMMITTEE ON LABOR, CULTURE AND THE ARTS

Senator Brian T. Taniguchi, Chair

Senator Les Ihara, Jr., Vice Chair

HEARING DATE: Thursday, March 22, 2021

TIME: 3:05 p.m.

PLACE: VIA VIDEOCONFERENCE

**SR 129
IN SUPPORT**

Aloha Chair Taniguchi, Vice Chair Ihara, 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 SR 129.

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 SR 129.

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

SR-129

Submitted on: 3/19/2021 1:40:32 PM

Testimony for LCA on 3/22/2021 3:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Pride at Work - Hawaii	Testifying for Pride @ Work - Hawaii	Support	No

Comments:

Aloha Senators,

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 SR 129.

Mahalo nui loa,

Pride at Work - Hawai'i