



March 16, 2022

To: The Honorable Brian T. Taniguchi, Chair,  
The Honorable Les Ihara, Jr. Vice Chair, and  
Members of the Senate Committee on Labor, Culture and the Arts

Date: Wednesday, March 16, 2022  
Time: 3:00 p.m.  
Place: Conference Room 225, State Capitol

From: Anne Perreira-Eustaquio, Director  
Department of Labor and Industrial Relations (DLIR)

**Re: H.B. 2159 HD1 RELATING TO WORKFORCE DEVELOPMENT BOARDS**

**I. OVERVIEW OF PROPOSED LEGISLATION**

HB2159 HD1 proposes to amend Chapter 202, Hawaii Revised Statutes (HRS), by amending the Workforce Development Council law to be consistent with the General Appropriations Act 2021 (Act 88 SLH, 2021) as well as changing the composition of the board.

The DLIR supports this Governor's Package measure and offers comments on the composition of the board.

**II. CURRENT LAW**

The General Appropriations Act of 2021, eliminated the program identification number (LBR135) of the Workforce Development Council (WDC) and transferred its appropriation and positions to the Workforce Development Division (WDD).

**III. COMMENTS ON THE HOUSE BILL**

The DLIR supports this measure that amends the Workforce Development Council (WDC) law to be consistent with the state budget as enacted in the General Appropriations Act of 2021 (Act 88 SLH, 2021), and conforms the WDC statute to the conflict of interest provisions and nomenclature found in the corresponding federal Workforce Innovation and Opportunity Act (WIOA).

The bill makes the terminology used in the state statute consistent with the federal law by changing the name of the state and local entities, i.e., Hawaii Workforce Development Board and local workforce development boards as well as makes conforming amendments to the chapters where the WDC is mentioned.

The DLIR also notes that the bill reduces the board composition from 41 members to 28 members. The department prefers the board as constituted in the unamended draft and makes the following observations about the HD1:

HD1 board membership does not clearly identify the numbers of members that constitute the thirteen members of the private sector whereas HB2159 clearly identifies the membership and maintains the current number of 41 representatives and members include the following representatives:

- All four chairpersons or designees of the local workforce development boards (as opposed to “one or more” in the HD1).
- A labor representative from a community-based Native Hawaiian organization that operates workforce development programs. A representative from such a Native Hawaiian organization has been a part of the law since 1997 (Act 346, SLH 1997).
- The Director or designee from the Department of Business, Economic Development, and Tourism.
- The President or designee from the University of Hawaii.

The DLIR supports the amendment to §202-3(a) as contained in SECTION 3 of the companion measure SB3127 SD1 that prescribes the Governor appoint an Executive Director from a list of three nominees submitted by the Board.



# UNIVERSITY OF HAWAII SYSTEM

## Legislative Testimony

---

Testimony Presented Before the  
Senate Committee on Labor, Culture and the Arts  
Wednesday, March 16, 2022, at 3:00 p.m.

By  
Erika Lacro  
Vice President for Community Colleges  
University of Hawai'i System

### HB 2159 HD1 – RELATING TO WORKFORCE DEVELOPMENT BOARDS

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

Thank you for the opportunity to testify on House Bill (HB) 2159 House Draft (HD) 1 relating to Workforce Development Boards. The University of Hawai'i (UH) provides comments on bill.

HB 2159 HD1 amends the Hawai'i Revised Statutes to change the title of the Workforce Development Council to the Hawai'i Workforce Development Board and amends composition of the board responsible for fulfilling duties required by the federal Workforce Investment and Opportunity Act (WIOA).

UH requests that the bill be amended to include the UH President or President's designee as an ex-officio, non-voting member, alongside the Director of the Department of Labor and Industrial Relations and the Superintendent of Education, among others.

UH provides a significant amount of workforce training and coordinates with the State of Hawai'i Department of Education on preparing students for the workforce, whether the postsecondary education and training requires short term, non-credit training, a degree, or more advanced training. UH's workforce programs include the UH community colleges which awarded more than 2,600 career and technical education Associates degrees or Certificates of Achievement and provided more than 16,000 non-credit workforce training opportunities in 2020-21. In 2020, in partnership with the Workforce Development Council, UH secured a 3-year, \$13.3 million federal workforce grant which is providing job training in healthcare, technology and skilled trades through the Hana Career Pathways program ([uhcc.hawaii.edu/training](http://uhcc.hawaii.edu/training)). Also, Hawai'i P-20 Partnerships for Education, which is an administrative unit of UH, functions as the State Office of Career and Technical Education manages federal Perkins Career and Technical Education funds and develops career pathways from K-12 to higher education.

The state workforce development board is a forum for coordinating workforce development among agencies and funding sources. UH looks forward to continuing and strengthening our collaboration with the state workforce board. Thank you for the opportunity to testify on this measure.

**HB-2159-HD-1**

Submitted on: 3/12/2022 3:38:17 PM

Testimony for LCA on 3/16/2022 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Gerard Silva	Individual	Oppose	Written Testimony Only

Comments:

Wrong Idea!!

**HB-2159-HD-1**

Submitted on: 3/15/2022 3:05:10 PM

Testimony for LCA on 3/16/2022 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Alan S. Hayashi	Testifying for Workforce Development Council	Oppose	Written Testimony Only

Comments:

To: [COMMITTEE ON LABOR, CULTURE AND THE ARTS](#)

Senator Brian T. Taniguchi, Chair

Senator Les Ihara, Jr., Vice Chair

From: Alan S. Hayashi, Chairman Workforce Development Council

Subject: HB2159 HD1 RELATING TO WORKFORCE DEVELOPMENT BOARDS

Honorable Senator Taniguchi, Chairman of the Committee on Labor Culture and the Arts, and Honorable Les Ihara, Vice Chair of the Committee on Labor Culture and the Arts, and Labor Culture and the Arts Committee members:

1. name is Alan Hayashi, Chairman of the Workforce Development Council (WDC). We respectfully oppose the intent of this proposed HB2159 HD1 measure, and favor instead the intent and language of SB3127 SD1.
2. understand the concern with size and inefficiency of some large Boards. However, because the workforce issues cover all sectors of the broad Hawaiian economy, the WDC has members representative of Business, Labor, Education, Government, Military, and Community Support Agencies, from all sectors of the economy. Besides quarterly WDC Board meetings, the Board members meet as participants in one of 8 standing committees as needed (Executive Committee, Employer Engagement, Finance, Special Projects, Performance Measures, Military and Veterans Affairs, Sector Strategies and Career Pathways, Youth Services). All major WDC Board issues are vetted by the Executive Committee consisting of the Chair, Vice Chair and the 7 Committee Chairs, and reported to the full Board, making the current WDC Board organization structure very efficient and effective.

3. have great interest and participation from the members and the public. While we currently have 36 appointed WDC Board members (41 authorized), our total WDC Board committee participation is over 130 participants. feel privileged to have such community participation in Government. Therefore, we respectfully suggest that the WDC Board is correctly sized in the public interest, and does not need a reduction in size or diversity.

We also support the Workforce Development Council's Executive Director appointment be recommended by the WDC, and appointed by the Governor, per proposed language in SB3127 SD1

Thank you for the opportunity to testify. I will be glad to answer any questions, if requested.