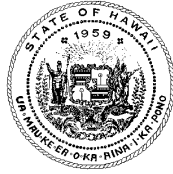


JOSH GREEN, M. D.
GOVERNOR
KE KIA'ĀINA



BRENNA H. HASHIMOTO
CHIEF NEGOTIATOR

SYLVIA LUKE
LT. GOVERNOR
KA HOPE KIA'ĀINA

STATE OF HAWAII
OFFICE OF COLLECTIVE BARGAINING
EXECUTIVE OFFICE OF THE GOVERNOR
235 S. BERETANIA STREET, SUITE 1201
HONOLULU, HAWAII 96813-2437

Statement of
BRENNA H. HASHIMOTO
Chief Negotiator, Office of Collective Bargaining

Before the
HOUSE COMMITTEE ON LABOR AND GOVERNMENT OPERATIONS
Wednesday, March 29, 2023
10:00AM
State Capitol, Conference Room 309

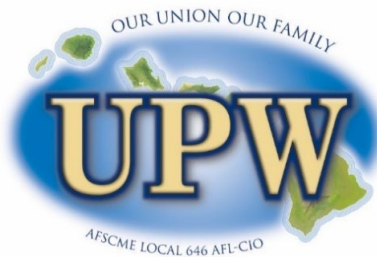
In consideration of
**HCR61, REQUESTING THE OFFICE OF COLLECTIVE BARGAINING TO
ESTABLISH OBJECTIVE STANDARDS AND CRITERIA FOR SPLITTING OFF A
GROUP OF STATE WORKERS INTO A NEW BARGAINING UNIT**

Chair Matayoshi, Vice Chair Garrett, and the members of the committee.

The Office of Collective Bargaining (OCB) appreciates the intent of this resolution to establish objective standards and criteria for splitting off a group of state workers into a new bargaining unit and offers the following comment:

OCB believes the responsibility to determine objective standards and criteria for separating a group of state workers into a new bargaining unit is with the Hawaii Labor Relations Board (HLRB), based on HRS §89-5. As such, OCB respectfully requests the committee to replace "OCB" with "HLRB."

Thank you for the opportunity to provide testimony on this measure.



**HOUSE OF REPRESENTATIVES
THE THIRTY-SECOND LEGISLATURE
REGULAR SESSION OF 2023**

Committee on Labor & Government Operations

Rep. Scot Z. Matayoshi, Chair
Rep. Andrew Takuya Garret, Vice Chair

Wednesday, March 29, 2023, 10:00 AM
Conference Room 309 and via Videoconference

Re: Testimony on HCR61/HR63 – REQUESTING THE OFFICE OF COLLECTIVE BARGAINING TO ESTABLISH OBJECTIVE STANDARDS AND CRITERIA FOR SPLITTING OFF A GROUP OF STATE WORKERS INTO A NEW BARGAINING UNIT.

Chair Matayoshi, Vice Chair Garrett, and Members of the Committee:

The United Public Workers, AFSCME Local 646, AFL-CIO (“UPW”) is the exclusive bargaining representative for the institutional, health, and correctional employees in Bargaining Unit 10 (“BU-10”), in the State of Hawaii and various counties.

UPW provides comments of HCR61/HR63, which requests the Office of Collective Bargaining (“OCB”) to establish objective standards and criteria for splitting off a group of state workers into a new bargaining unit.

In the 50 years since the development of Chapter 89, HRS, the Legislature has only split off two groups of public employees into new bargaining units. In 2013, the Legislature split off State law enforcement officers (“LEOs”) and State and County ocean safety and water safety officers (“OSOs”) from BU-3 and BU-4 to create BU-14. The Legislature further split off the OSOs from BU-14 to create BU-15 in 2020. In both instances, the justification provided was that the specialized needs of these groups, such as mandatory training and certifications and terms and conditions of employment, could not be significantly addressed without the creation of new bargaining units.

UPW has sought to establish new bargaining units for the EMS workers of the City and County of Honolulu and the Adult Corrections Officers employed by the Department of Public Safety during the past two sessions. While we provided justification that was similar to the LEOs and OSOs in 2013 and 2020, we have not yet been successful in establishing a new bargaining unit in statute.

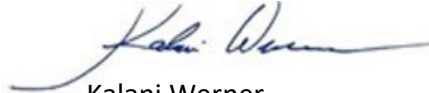
When BU-10 was created by the Legislature in the early 1970s, it included “prison guards” who managed a State prison population of less than 500 inmates and “ambulance drivers” who provided little, if any, medical care. In the five decades since, our prisons and jails are overcrowded and EMTs and Paramedics are required to perform more than a thousand hours of training and must be licensed by the State Board of Medical

Examiners. A mixed BU for these two groups has become a constraint in addressing their diverse needs. Our primary concern is that any objective standards and criteria for creating new bargaining units will be blind to the incredible challenges many of our public employees are facing and will make it exponentially more difficult, if not impossible, to establish new bargaining units.

We would also like to note that the Office of Collective Bargaining (“OCB”) has opposed any legislation that proposes creating a new bargaining unit. Considering this, we have concerns about OCB’s ability to establish “objective” standards and criteria for splitting off a group of public employees into a new bargaining unit.

Thank you for the opportunity to testify on this measure.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kalani Werner", with a long, sweeping underline.

Kalani Werner
State Director



HAWAII GOVERNMENT EMPLOYEES ASSOCIATION

AFSCME Local 152, AFL-CIO

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

The Thirty-Second Legislature, State of Hawaii
House of Representatives
Committee on Labor and Government Operations

Testimony by
Hawaii Government Employees Association

March 29, 2023

H.C.R 61 — RELATING COLLECTIVE BARGAINING

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO opposes the purpose and intent of H.C.R. 61 which request the Office of Collective Bargaining to establish objective standards and criteria for splitting off a group of State workers into a new bargaining unit.

The Office of Collective Bargaining (OCB), which resides within the Governor's office, represents the employer (State) in negotiations between the State and the Exclusive Representatives on matters affecting public employees' wages, hours, and other conditions of work. By requesting the OCB, which is solely controlled by the employer, to establish objective standards and criteria on matters affecting public employees' conditions of work is lopsided and unfair. The employer should not have unilateral authority in this matter. The Hawaii Labor Relations Board, who serves as the governing board that oversees HRS CH. 89 Collective Bargaining in Public Employment, should be the body that establishes this framework.

Thank you for the opportunity to provide testimony in opposition of H.C.R. 61.

Respectfully submitted,

Randy Perreira
Executive Director

Davlynn Racadio
Maui Police Department/911 Communications
55 Mahalani Street
Wailuku, HI 96793

March 27, 2023

Chair Scot Matayoshi
Vice Chair Andrew Garrett
House Committee on Labor & Government Operations

Honorable Chair Matayoshi & Vice Chair Garrett,

My name is Davlynn Racadio and I have been employed at the Maui Police Department 9-1-1 Communications Center for nearly 36 years. I am currently the Emergency Services Dispatch Coordinator and responsible for two 9-1-1 Communications Centers on Maui and Molokai. I am accountable to these people, their needs in our working environment and the advanced technology necessary to continue servicing our communities.

Statistical data for 2022, our Communications Centers answered 140,524 9-1-1 calls and 223 Text to 9-1-1 calls. For Maui, full staffed I would have 39 Emergency Services Dispatchers (ESDs) and 6 Supervising Emergency Services Dispatchers (SESDs). I have 11 ESDs and 3 SESDs. For Molokai, there are 7 ESD positions and 1 SESD. I currently have 3 ESDs working on Molokai. I also have three ESDs being trained, two for Maui and the one for Molokai.

My people reported for duty when we were overwhelmed with the COVID pandemic, police, fire or medics do not self-dispatch. We operated hand in hand with these units, working the same or nearly the same hours as they did. At no time was our Communications Center unmanned. When our people got sick, we would move to our Alternate site in Kihei while the room was cleaned. When someone was sick in Molokai, we took over their communications until the room was cleaned and the next reporting crew could come into a clean room. Our rooms are small, so we did not have the luxury of sitting 6 feet apart. We could not use masks, as it would have posed an officer, firefighter or medic safety issue. The transmission would be muffled and those on the other side of the radio would not be able to understand us.

Most people think that all we do is wait for the phone to ring, answer the call and hang up. They are not aware that we are certified to give pre-arrival medical instructions, trained to use interactive maps that follow a live cell phone call or a disconnected cell phone for 10 minutes, or by utilizing a caller's cell phone to access their camera to see what they are seeing. We are in the process of being certified under APCO, which has also certified much of our State personnel. Due to my manpower, I am limited to the amount of personnel that can participate. My people will start CPR compressions almost immediately after determining the facts, ask a husband to pull to the side of the road, so that we can help him deliver his baby or speak to a depressed person that is not interested in living any more.

In the last hearing for HB1398 on March 2, 2023, Ms. Brenna Hashimoto, the Head Negotiator of the State of Hawaii Office of Collective Bargaining, mentioned a report

done by the Department of Human Resources and Development that was requested by former Governor David Ige to review the existing classification and compensation scheduled for these telecommunications dispatchers. This report was submitted December 29, 2021 under Act 62, SLH 2021, Legislative Report. She said the report was put together using the information submitted by the other jurisdictions. In this report, my people are compared to a clerk in the County of Maui Water Department as stated below:

The County of Maui also uses Clerk Dispatcher positions that align with the category 1 definition, which provide dispatching services in the Department of Water Supply, Field Operations Division. However, the type of work performed by the Clerk Dispatcher positions differ from the county's Emergency Services Dispatcher positions, in that Clerk Dispatcher positions dispatch personnel for water service emergencies

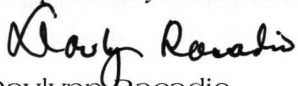
These people should be elevated and recognized as Emergency Responders and due to the technical and specialized duties that they perform, they should be in a separate bargaining unit.

If you have any questions, please reach out to me. I will be glad to share my knowledge of a job I love and respect. Not anyone can walk off the road and into a Communications Center to start answering phones. It takes someone who has the love of the job, the crazy hours so someone can be there to answer the 9-1-1 calls and the want to help our communities. When these people answer a 9-1-1 call, they are the first on scene, they are the first Emergency Worker to arrive and start the process of sending the right help, with the right equipment at the right time. These people are First Responders.

If you would like to visit our 9-1-1 Communications Center, please let me know. It is important that you see the work they do so that you have a clear understanding of their responsibilities.

I am asking for your support for our County. We have two Bills HB1398 and SB1059 that were so important to them and their future but at this time, this is not meant to be. Their future is our future too, as I want my grandchildren to grow up on Maui and when they experience the need to call 9-1-1, someone will be there to answer the call. Please help me help them.

Respectfully submitted,



Davlynn Racadio
Emergency Services Dispatch Coordinator
Maui Police Department
55 Mahalani Street,
Wailuku, HI 96793
OFC 808-244-6375