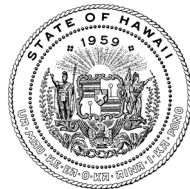


JOSH GREEN, M.D.
GOVERNOR



LUIS P. SALAVERIA
DIRECTOR

SABRINA NASIR
DEPUTY DIRECTOR

EMPLOYEES' RETIREMENT SYSTEM
HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND
OFFICE OF THE PUBLIC DEFENDER

STATE OF HAWAII
DEPARTMENT OF BUDGET AND FINANCE
Ka 'Oihana Mālama Mo'ohelu a Kālā
P.O. BOX 150
HONOLULU, HAWAII 96810-0150

ADMINISTRATIVE AND RESEARCH OFFICE
BUDGET, PROGRAM PLANNING AND MANAGEMENT DIVISION
FINANCIAL ADMINISTRATION DIVISION
OFFICE OF FEDERAL AWARDS MANAGEMENT

WRITTEN ONLY

TESTIMONY BY LUIS P. SALAVERIA
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE
TO THE SENATE COMMITTEE ON WAYS AND MEANS
ON
SENATE BILL NO. 1614, S.D. 1

March 2, 2023
10:00 a.m.
Room 211 and Videoconference

RELATING TO COLLECTIVE BARGAINING

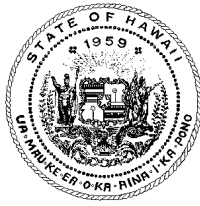
The Department of Budget and Finance (B&F) offers comments on this bill.

This bill creates a separate Bargaining Unit (BU) 16 for adult corrections officers of the Department of Public Safety's Corrections Division or a successor agency to which the officers and duties have been transferred while leaving the rest of the current BU 10 employees in the existing BU.

The Legislature has created two new BUs in recent years and is considering creating others, in addition to this one, this session. There are concerns with the increasing administrative costs and complexities, negotiating, arbitrating, and managing of contracts for every increasing number of BUs.

Thank you for your consideration of our comments.

JOSH GREEN, M.D.
GOVERNOR



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII
DEPARTMENT OF PUBLIC SAFETY
Ka 'Oihana Ho'opalekana Lehulehu
1177 Alakea Street
Honolulu, Hawaii 96813

TOMMY JOHNSON
DIRECTOR

Melanie Martin
Deputy Director
Administration

Michael J. Hoffman
Acting Deputy Director
Corrections

William F. Oku
Deputy Director
Law Enforcement

No. _____

TESTIMONY ON SENATE BILL 1614, SENATE DRAFT 1
RELATING TO COLLECTIVE BARGAINING

By

Tommy Johnson, Director
Department of Public Safety

Senate Committee on Ways and Means
Senator Donovan M. Dela Cruz, Chair,
Senator Gilbert S.C. Keith-Agaran, Vice Chair

Thursday, March 2, 2023; 10:00 a.m.
State Capitol, Conference Room 211, and via Video Conference

Chair Dela Cruz, Vice Chair Keith-Agaran, and Members of the Committee:

The Department of Public Safety (PSD) opposes Senate Bill (SB) 1614, Senate Draft 1, which proposes to establish a Bargaining Unit 16, by removing PSD Adult Correctional Officers or the future successor agency, the Department of Corrections and Rehabilitation from Bargaining Unit 10 to Bargaining Unit 16.

The Department believes this bill is premature. There first should be meaningful discussions between the affected entities, such as the Department of Human Resources and Development (DHRD), all impacted departments with employees covered by the current Bargaining Unit 10, and the United Public Workers Union (UPW). It should be noted that this bill conflicts with SB 1572, which also creates a Bargaining Unit 16 for the City and County of Honolulu's Emergency Services Department.

Thank you for the opportunity to provide testimony in opposition to SB 1614.

SB-1614-SD-1

Submitted on: 3/1/2023 2:23:54 AM

Testimony for WAM on 3/2/2023 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Horacio Arzate	Testifying for Department of Public Safety	Support	Written Testimony Only

Comments:

Good morning, members of the legislature, I hope we all find ourselves in good spirits. My name is Sergeant Horacio Arzate of the Women's Community Correctional Center, and have been employed with the department for almost a decade. Throughout this period, I have had the honor of working along side many dedicated officers from all over, often in times of great stress and in dangerous close quarter situations involving volatile inmates and those with mental disorders. Often times, these instances occur while having to endure staff shortages as well as viruses. We correctional officers need representation that is as unique to us as is our workplace experiences. Thank you for your consideration into this matter.

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



BRENN A 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
BRENN A H. HASHIMOTO
Chief Negotiator, Office of Collective Bargaining

Before the
SENATE COMMITTEE ON WAYS AND MEANS

Thursday, March 2, 2023
10:00 AM
State Capitol, Conference Room 211

In consideration of
SB 1614 SD 1, RELATING TO COLLECTIVE BARGAINING

Chair Dela Cruz, Vice Chair Keith-Agaran, and members of the committee:

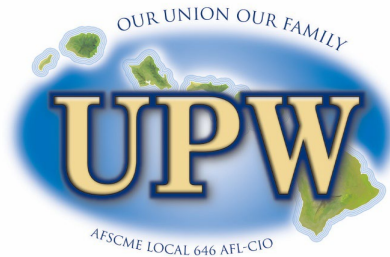
The Office of Collective Bargaining (OCB) appreciates the intent of SB 1614 SD 1, which in part creates a separate bargaining unit (16) for adult corrections officers (ACOs) of the Department of Public Safety's Corrections Division or its successor agency. However, we must respectfully oppose this measure.

The OCB is concerned for the following reasons:

1. Bargaining Unit (BU) 10 is comprised of institutional, health, and correctional workers, which include, among others, ACOs, City and County of Honolulu Emergency Medical Services Department (EMS) employees, and Licensed Practical Nurses (LPNs).
2. OCB believes that separating ACOs from BU 10 is not necessary, as the current collective bargaining agreement addresses changes to wages, hours, and other conditions of work. For example, ACOs, EMS employees and LPNs are covered under three distinct salary schedules.
3. In addition to wages, Section 61 of the BU 10 collective bargaining agreement was specifically negotiated for Adult and Youth Corrections Officers and Juvenile Detention Employees to include work schedules which allow for selection of workdays, days off, and shift selection. Similarly, Section 55 was negotiated specifically for EMS employees.
4. Should there be operational concerns in the workplace that may not have been addressed, as an alternative to creating a new BU, Section 89-10,

Hawaii Revised Statutes, provides for other agreements to be reached by the parties during the term of the collective bargaining agreement to address such issues.

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



**THE SENATE
THE THIRTY-SECOND LEGISLATURE
REGULAR SESSION OF 2023**

Committee on Ways and Means
Senator Donovan M. Dela Cruz, Chair
Senator Gilbert S.C. Keith-Agaran, Vice Chair

Thursday, March 2, 2023, 10:00 AM
Conference Room 211 & Videoconference

Re: Testimony in Support of SB1614, SD1 – RELATING TO COLLECTIVE BARGAINING

Chair Dela Cruz, Vice Chair Keith-Agaran, and Members of the Committee:

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.

UPW **strongly supports** SB1614, SD1, which retains institutional, health, and correctional workers except for Adult Corrections Officers (“ACOs”) of the Department of Public Safety’s Corrections Division or its successor agency of the Department of Corrections and Rehabilitation under bargaining unit (10). This bill also creates a separate bargaining unit (16) for adult corrections officers of the Department of Public Safety’s Corrections Division or its successor agency.

In recent years, UPW has collected input from our ACOs regarding the need for this specific bill. Through this process, an overwhelming majority are supportive of this measure. Some of the reasons as to why a new bargaining unit is warranted are as follows: it would make it easier to understand the current and any proposed departmental policies; it would help to address the unique concerns and needs of our ACOs; and it could potentially help to clarify negotiated contract language for these positions in future agreements.

We appreciate you hearing this legislation and thank you for the opportunity to provide testimony.

Sincerely,

A handwritten signature in blue ink, which appears to read "Kalani Werner".

Kalani Werner
State Director

SB-1614-SD-1

Submitted on: 2/28/2023 4:26:25 PM

Testimony for WAM on 3/2/2023 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
David Moku V	Individual	Support	Written Testimony Only

Comments:

Testimony on Senate Bill 1614, SD1

Relating to Collective Bargaining

My name is David K Moku 5th and I am an Adult Correctional Officer at Kulani Correctional Facility under PSD. I am in Strong support of SB1614,SD1, which creates a separate Bargaining unit (16) for Adult Correctional Officers (ACO's) of the Department of Public Safety's Corrections Division.

Affording our Dpartment our own Bargaining unit allows us to better negotiate contracts address the working conditions and safety concerns directly related to our work in prisons and demands of being a corrections officer.

Mahalos for the oppertunity to testify in support of SB1614,SD1

SB-1614-SD-1

Submitted on: 2/28/2023 6:28:17 PM

Testimony for WAM on 3/2/2023 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
shane lyons	Individual	Support	Written Testimony Only

Comments:

My name is Shane Lyons and I am the Adult Correctional Officer III, of Public Safety Department. I am in strong support of SB1614,SD1, which creates a seperate bargaining unit (16) for Adult Corrections Officers (ACO's) of the Departmaent of Public Safety's Corrections Division.

Creating a new bargaining unit will allow us to better negotiate contracts that address the working conditions and safety concerns directly related to our work in prisons and the demands of being a corrections officer.

Mahalo for the opportunity to testify in support of SB1614, SD1

SB-1614-SD-1

Submitted on: 2/28/2023 6:41:25 PM

Testimony for WAM on 3/2/2023 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Enrique Defiesta Jr.	Testifying for Public Safety/Corrections Division	Oppose	Written Testimony Only

Comments:

Chairs Dela Cruz, Vice Chair Keith-Agaran, and Members of the Committee.

My name is Enrique Defiesta Jr, and I am a Correctional Officer IV, Sergeant, at OCCC, serving over 24yrs.

I am strong support of SB1614, SD1, which creates a separate bargaining unit (16) for Adult Corrections Officers ("ACOs) of the Department of Public Safety's Corrections Division.

In my belief moving from bargaining unit 10 into bargaining unit 16, will makes us more independant, give us an identity and standout. This is a big deal, because like SHOPO, we will be a stand alone bargaining unit, and will in my opinion, stronger and united.

Creating a new bargaining unit will allow us to better negotiate contracts that address the working conditions and safety concerns directly related to our work in prisons and the demands of being a corrections officer.

Mahalo for the oppportunity to testify in support of SB1614, SD1.

Enrique Defiesta Jr.

SB-1614-SD-1

Submitted on: 3/1/2023 12:23:00 AM

Testimony for WAM on 3/2/2023 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Maryann	Individual	Support	Written Testimony Only

Comments:

My name is Maryann. I am in strong support of SB1614, SD1, which creates a separate bargaining unit (16) for Adult Corrections Officers (“ACOs”) of the Department of Public Safety's Corrections Division.

Having a new bargaining unit created just for ACO'S will help with negotiaiting the working conditions that we face on a daily basis. Such as reporting for duty while the facility is lockdown due to Covid. Reporting for duty even we are being short changed under staffed and hours not being paid out. These are just 2 examples that we face. The list goes on. I feel strongly if we had our vey own bargaining unit it will allow us to better negotiate contracts to address our safety and working conditions that better fit ACO's.

Mahalo for the oppportunity to testify in support of SB1614, SD1.

Maryann

SB-1614-SD-1

Submitted on: 3/1/2023 8:03:52 AM

Testimony for WAM on 3/2/2023 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Melita Among	Individual	Support	Written Testimony Only

Comments:

Aloha, I would like to ask you to support this bill to allow the Correctional Officers to have a bargaining unit of their own. I am currently a lieutenant at OCCC and the issues we face are not the same as the other state employees who are currently in our bargaining unit. We are held to a standard of conduct and the other employees are not. We are responsible for the care, safety, welfare, transporting of inmates to and from courts. We are held to a stringent Use of Force policy that other employees in our bargaining unit are not. We are professionals responsible for supervising the inmates/wards under our care and responsible for the safety of the public, inmates, and staff. We are scrutinized everyday and the career we face is not an easy one. I support this bill and ask for your support. The issues we face are unique and we need our own bargaining unit to address those needs. Mahalo.