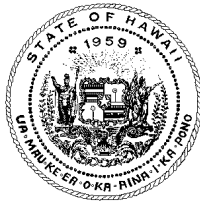


JOSH GREEN, M.D.  
GOVERNOR



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  
RELATING TO COLLECTIVE BARGAINING

By

Tommy Johnson, Director  
Department of Public Safety

Senate Committee on Public Safety and Intergovernmental and Military Affairs  
Senator Glenn Wakai, Chair,  
Senator Brandon J.C. Elefante, Vice Chair

Senate Committee on Labor and Technology  
Senator Sharon Y. Moriwaki, Chair,  
Senator Chris Lee, Vice Chair

Friday, February 10, 2023; 4:00 p.m.  
State Capitol, Conference Room 225, and via Video Conference

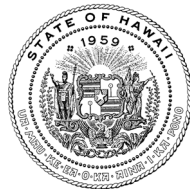
Chair Wakai, Chair Moriwaki, Vice Chair Elefante Vice Chair Lee, and Members of  
both Committees:

The Department of Public Safety (PSD) opposes Senate Bill (SB) 1614, 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.

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

TESTIMONY BY LUIS P. SALAVERIA  
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE  
TO THE SENATE COMMITTEES ON PUBLIC SAFETY AND INTERGOVERNMENTAL  
AND MILITARY AFFAIRS AND LABOR AND TECHNOLOGY  
ON  
SENATE BILL NO. 1614

**February 10, 2023**  
**4:00 p.m.**  
**Room 225 and Videoconference**

RELATING TO COLLECTIVE BARGAINING

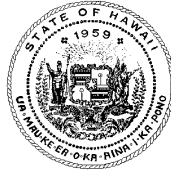
The Department of Budget and Finance (B&F) offers comments on this bill.

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  
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 PUBLIC SAFETY AND INTERGOVERNMENTAL AND  
MILITARY AFFAIRS**  
And the  
**SENATE COMMITTEE ON LABOR AND TECHNOLOGY**

Friday, February 10, 2023  
4:00 PM  
State Capitol, Conference Room 225

In consideration of  
**SB 1614, RELATING TO COLLECTIVE BARGAINING**

Chairs Wakai and Moriwaki, Vice Chairs Elefante and Lee, and the members of the committees:

The Office of Collective Bargaining (OCB) appreciates the intent of SB 1614, 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.

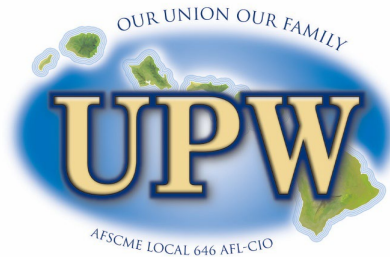
The OCB is concerned for the following reasons:

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 Correction 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 Labor and Technology**  
Senator Sharon Y. Moriwaki, Chair  
Senator Chris Lee, Vice Chair

**Committee on Public Safety and Intergovernmental and Military Affairs**  
Senator Glenn Wakai, Chair  
Senator Brandon J.C. Elefante, Vice Chair

Friday, February 10, 2023, 4:00 PM  
Conference Room 225 & Videoconference

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

Chairs Moriwaki and Wakai, Vice Chairs Lee and Elefante, 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, which creates a separate bargaining unit (16) for Adult Corrections Officers (“ACOs”) of the Department of Public Safety's Corrections Division or its successor agency while retaining institutional, health, and other correctional workers under bargaining unit (10).

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, appearing to read "Kalani Werner".

Kalani Werner  
State Director

**HEADQUARTERS** – 1426 North School Street ♦ Honolulu, Hawaii 96817-1914 ♦ Phone: (808) 847-2631  
**HAWAII** – 362 East Lanikaula Street ♦ Hilo, Hawaii 96720-4336 ♦ Phone: (808) 961-3424  
**KAUAI** – 2970 Kele Street, Suite 213 ♦ Lihue, Hawaii 96766-1325 ♦ Phone: (808) 245-2412  
**MAUI** – 841 Kolu Street ♦ Wailuku, Hawaii 96793-1436 ♦ Phone: (808) 244-0815

**SB-1614**

Submitted on: 2/8/2023 2:55:04 PM

Testimony for LBT on 2/10/2023 4:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Raymond Maae	Individual	Support	Written Testimony Only

Comments:

Testimony on Senate Bill 1614

RELATING TO COLLECTIVE BARGAINING

Friday, February 10, 2023 at 4:00 PM

Conference Room 225 & Videoconference

Chairs Moriwaki and Wakai, Vice Chairs Lee and Elefante, and Members of the Joint Committee:

My name is Raymond Ma'ae and I am an Adult Corrections Officer V (Lieutenant) at Oahu Community Correctional Center and a union delegate of the UPW state executive board. I am in strong support of SB1614, which creates a separate bargaining unit (16) for Adult Corrections Officers ("ACOs") of the Department of Public Safety's Corrections Division because I believe we can better change the culture of corruption within our facilities and make lasting changes to improve our working conditions which will also improve the services we provide to keep our communities safe. Having our own bargaining unit will give us access to resources to address the many problems we face in the workplace everyday like understaffing, mandatory overtime and accountability.

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.

Raymond A. Ma'ae

Adult Corrections Officer V/ OCCC

808-275-6134

**SB-1614**

Submitted on: 2/8/2023 7:03:38 PM

Testimony for LBT on 2/10/2023 4:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Paul Kyles	Testifying for Department of Public Safety: Corrections	Support	Written Testimony Only

Comments:

My name is Paul Kyles and I am an Adult Correctional Officer IV for 25 years at Oahu Correctional Community Center.

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

In my 25 years at OCCC I have observed many challenges in trying to negotiate our contract with other units not related to corrections. I believe separating our unit will allow us to focus more directly in the needs and necessary equipments for correctional officers.

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.

Paul Kyles



**SB-1614**

Submitted on: 2/9/2023 12:39:34 PM

Testimony for LBT on 2/10/2023 4:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Darrell Wilcox	Individual	Support	Written Testimony Only

Comments:

Aloha. My name is Darrell Wilcox and I am in strong support of SB 1614. Being a correctional officer at Oahu Community Correctional Center for over 25 years, the dynamic, responsibility, accountability, and work environment on the daily and watch specific nature of what we do has specialized and specific ramifications. Having our own and unique bargaining unit will undoubtedly address all what correctional officers need and experience and address the specific work that we do. You have an opportunity to support our plight for the betterment and future of correctional officers by passing SB 1614. Thank you for your time.

**SB-1614**

Submitted on: 2/9/2023 4:28:17 PM

Testimony for LBT on 2/10/2023 4:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Ashley Kamelamela	Testifying for PSD/COR/ UPW 10	Support	Written Testimony Only

Comments:

My name is Sgt Ashley Kamelamela and worked at Women's Community Correctional Center for about 23 uears. I am in strong support of SB1614, which creates a separate bargaining unit (16) for Adult Corrections Officers (“ACOs”) of the Department 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.

Sgt Ashley Kamelamela

**LATE**

**SB-1614**

Submitted on: 2/9/2023 7:14:49 PM

Testimony for LBT on 2/10/2023 4:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kahealani Itula	Individual	Support	Written Testimony Only

Comments:

My name is Kahealani Itula and I am an Adult Correctional Officer. I am in strong support of SB1614, which creates a separate bargaining unit (16) for Adult Correctionas Officers ("ACOs") of the Department of Public Safety's Corrections Division.

We have been faced with many challenges and having our own bargaining unit will actually help to address some or even a lot of things that we deal with on a different level then other orginizations. One of the challenges that we deal with is having to come to work during the Covid pandemic because we are considered "Essential Workers" and working in hazardous conditions and not being compensated for that. Another challenge that I've experienced as an ACO is having to work in conditions that is unsanitary such as rat infestions, bed bugs, ukus, COVID, mold, mildew, improper ventilation, open ceilings that exposes pipes, leaking roofs that leaks into the light. The Control panels will work for a while and then stop working making it a safety hazard because there's no way of communicating with the inmates until the Rover does a dorm check. There are more concerns that needs to be addressed that only pertains to ACOs and this would be us moving in the right direction.

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.

Kahealani Itula