

JOSH GREEN, M.D.
GOVERNOR

SYLVIA LUKE
LIEUTENANT GOVERNOR



JADE T. BUTAY
DIRECTOR

WILLIAM G. KUNSTMAN
DEPUTY DIRECTOR

STATE OF HAWAII
KA MOKU'ĀINA O HAWAII
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
KA 'OIHANA PONO LIMAHANA

March 25, 2024

To: The Honorable Henry J.C. Aquino, Chair
The Honorable Sharon Y. Moriwaki, Vice Chair, and
Members of the Senate Committee on Labor and Technology

Date: Monday, March 25, 2024

Time: 3:00 p.m.

Place: Conference Room 224 & Videoconference, State Capitol

From: Jade T. Butay, Director
Department of Labor and Industrial Relations (DLIR)

Re: G.M. 529, Submitting for consideration and confirmation to the Hawaii Labor Relations Board, Gubernatorial Nominee, STACY MONIZ, for a term to expire 06-30-2029.

The Department of Labor and Industrial Relations **strongly supports** the confirmation of Stacy Moniz to the Hawaii Labor Relations Board (HLRB).

Mr. Moniz earned his Juris Doctorate from the University of Hawaii, William S. Richardson School of Law and has practiced law as paralegal, legal administrator, consultant and arbitrator since 2002 in private practice and with private and public sector labor unions.

Mr. Moniz has an extensive understanding of applicable laws and regulations related to labor and has been a proven arbitrator for the HLRB who attentively listens to all sides of a dispute, considers the evidence and arguments presented, and makes a binding decision or award that resolves the conflict that is fair and impartial.

For these reasons, the DLIR believes Mr. Moniz will enforce and protect the rights of employees and unions to organize and bargain collectively in balance with the rights of employers to manage operations, as provided by law, and to fairly and efficiently resolve labor disputes brought before it.

Thank you for the opportunity to provide testimony in support of Governor's Message 529.

OFFICE OF THE MAYOR

DEREK S.K. KAWAKAMI, MAYOR

REIKO MATSUYAMA, MANAGING DIRECTOR



Testimony of
Derek S.K. Kawakami
Mayor, County of Kaua'i

Before the
Senate Committee on Labor and Technology
March 25, 2024 at 3:00 PM
Conference Room 224 & Videoconference

In Consideration of
GM 529 Stacy Moniz
Hawai'i Labor Relations Board

Honorable Chair Aquino and Members of the Committee:

I am honored to write in **strong support** of the nomination of Mr. Stacy Moniz as a member on the State of Hawai'i Labor Relations Board. With his wealth of experience serving Hawai'i's labor force, I believe Mr. Moniz possesses the expertise to successfully represent Hawai'i's employee interests and mediate various labor disputes while prioritizing the best interest of Hawai'i's workforce.

With his prior experience serving the Hawai'i Government Employees Association as Advocacy Chief, Mr. Moniz demonstrates his ability to effectively resolve conflicts and his willingness to utilize his law background to represent individuals involved in labor disputes. Having worked closely with the Hawai'i Labor Relations Board as an Arbitrator, Mr. Moniz showcases an understanding of the intricacies of the department and of the rights and protections to which Hawai'i employees are entitled. I also commend Mr. Moniz's prioritization of community outreach initiatives, as exhibited by his role as Vice President of Hui O He'e Nalu Inc. where he oversees non-profit organizations that promote the education of Hawaiian culture and practices, further demonstrating his dedication to the Hawaiian community.

I am confident in Mr. Moniz's ability to serve and excel as member on the Hawai'i Labor Relations Board, and I respectfully urge you to **Advise and Consent** to his nomination and forward to the full Senate for their consideration.

Mahalo for the opportunity to present this testimony.



UNITED PUBLIC WORKERS

AFSCME Local 646, AFL-CIO

**THE SENATE
KA 'AHA KENEKOA
THE THIRTY-SECOND LEGISLATURE
REGULAR SESSION OF 2024**

COMMITTEE ON LABOR AND TECHNOLOGY

Senator Henry J.C. Aquino, Chair
Senator Sharon Y. Moriwaki, Vice Chair

Monday, March 25, 2024, 3:00 PM
Conference Room 224 & Videoconference

Re: Testimony on GM529 – Submitting for consideration and confirmation to the Hawaii Labor Relations Board, Gubernatorial Nominee, STACY MONIZ, for a term to expire 06-30-2029

Chair Aquino, Vice Chair Moriwaki, 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 also represents approximately 1,500 healthcare workers in the private sector.

UPW **strongly supports** GM529, which submits for consideration and confirmation to the Hawaii Labor Relations Board (“HLRB”), Stacy Moniz, for a term to expire 06-30-2029. As the former Advocacy Chief for the Hawaii Government Employees Association (“HGEA”), Mr. Moniz’s wealth of experience and commitment to the labor rights of Hawaii’s hard-working men and women make him exceptionally qualified to serve as the employee member on the HLRB.

UPW feels that Mr. Moniz is more than deserving of this position, and we are incredibly honored to support his appointment to the HLRB.

Mahalo for the opportunity to testify in support of this GM529.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kalani Werner", is written over a light blue horizontal line.

Kalani Werner
State Director

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Osa Tui, Jr.
President

Logan Okita
Vice President

Lisa Thompson
Secretary-Treasurer

Ann Mahi
Executive Director

TESTIMONY TO THE HAWAII SENATE COMMITTEE ON LABOR AND TECHNOLOGY

Item: **GM529 - Consideration of Stacy Moniz to the Hawai'i Labor Relations Board**

Position: **Support**

Hearing: **Monday, March 25, 2024, 3:00 p.m., Conference Room 224**

Submitter: **Osa Tui, Jr. – President, Hawai'i State Teachers Association**

Chair Aquino, Vice Chair Moriwaki, and members of the committee,

The Hawai'i State Teachers Association **supports** GM529 which is to consider and confirm to the Hawai'i Labor Relations Board (HLRB) gubernatorial nominee Stacy Moniz for a term to expire June 30, 2029.

Mr. Moniz has been capably serving on the HLRB since August of 2023. He was appointed by the governor after the passage of Act 260 (SLH 2023) which established that the representative of labor on the Hawai'i Labor Relations Board shall be a person selected by the majority of the exclusive representatives of the collective bargaining units.

As the labor representative on the HLRB, Mr. Moniz has utilized his legal training and his years of skills and knowledge developed through working on labor issues to handle cases brought before the HLRB with professionalism and competence. He knows the nuances of labor law and HLRB policy and procedure and how they need to be appropriately applied when questioning those who come before the HLRB and deciding on cases. From what we have observed in the few months that Mr. Moniz has been serving so far, he has been of the highest quality when it comes to the expectations of an HLRB board member.

The Hawai'i State Teachers Association asks your committee to **support** recommending confirmation to the full senate.

MARCUS R. OSHIRO
CHAIRPERSON



SESNITA A.D. MOEPONO
BOARD MEMBER

STACY MONIZ
BOARD MEMBER

830 PUNCHBOWL STREET, ROOM 434
HONOLULU, HAWAII 96813

HAWAII LABOR RELATIONS BOARD
KA PAPA LIMAHANA O HAWAII

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DLR.LABORBOARD@HAWAII.GOV

March 22, 2024

The Honorable Henry J.C. Aquino, Chair
The Honorable Sharon Y. Moriwaki, Vice Chair, and
Members of the Senate Committee on Labor and Technology
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chair Aquino, Vice Chair Moriwaki, and Members of the Committee:

Re: Governor's Message No. 529, Submitting for Consideration and Confirmation to the Hawaii Labor Relations Board, Gubernatorial Nominee, STACY MONIZ, for a term to expire 06-30-2029

My name is Marcus Oshiro, and I am the Chairperson of the Hawaii Labor Relations Board (Board). Please accept this letter in support of the confirmation by the Hawaii State Senate of Stacy Moniz as the Representative of Labor to the Hawaii Labor Relations Board.

Board Member Moniz brings years of practical experience to his role on the Board's three-member panel. His most recent tenure as the Advocacy Chief for the Hawaii Government Employees Association (HGEA) has meant immersion in all aspects of public sector bargaining under Hawaii Revised Statutes (HRS) Chapter 89, from contract interpretation, grievance processing, arbitration, and representation of public employees and the union on numerous statutory and contractual matters with the various County and State employers. In fact, it is during his time as Advocacy Chief for the HGEA, that I came to know and appreciate Board Member Moniz as an advocate and skilled representative of the union and its members.

Certainly, I did not always agree with him, and at times the Board ruled against his client, but I've always respected his professionalism and found his presentation of cases to be well organized, logical, and thoughtful. And, prior to his interim appointment and becoming my colleague on the Board, I considered Board Member Moniz to be on a "short-list" of practitioners with the skill sets to readily appear before the Board in all matters. In my opinion, confirming his appointment to the Board brings relevant practical experience to public service and leaves a void among remaining qualified labor advocates.

Since his interim appointment to the Board on August 17, 2023, I have worked daily alongside Board Member Moniz and observed his evolution from a zealous advocate to an insightful and reflective judge. In our casual discussions and case deliberations, I have been impressed with his ability to appreciate all sides of an issue while forestalling any prejudgment

The Honorable Henry J.C. Aquino, Chair; The Honorable Sharon Y. Moriwaki, Vice Chair;
and Members of the Senate Committee on Labor and Technology

March 22, 2024

Page 2

before the hearing on the merits. I especially appreciate his contemplation on the longer-term effects of Board decisions on employers, employees, and unions. In this regard, Board Member Moniz, like me, believes in the legislative policy of HRS Chapter 89 to promote harmonious and cooperative relations between workers and employers while ensuring that government services are effective and orderly. I believe that the legislative policy will guide and underscore all of his decisions.

Since coming onto the Board about seven months ago, I have asked Board Member Moniz to take the lead in several cases, and to his credit, he has done very well in chairing proceedings and in demonstrating his knowledge of the law and procedures while exemplifying judicial decorum and a temperament of restraint. Furthermore, to his credit and dedication to his job, he has taken the initiative to draft several Board orders and decisions. One of note and relevant to many today, is Board Order No. 4019, issued on January 4, 2024, in Case No. 23-DR-00-120, Academic Labor United v. University of Hawai'i; Board of Regents, University of Hawai'i; David Lassner, President, University of Hawai'i; Hawaii Government Employees Association, AFSCME, Local 152, AFL-CIO; American Federation of State, County and Municipal Employees, AFL-CIO; and University of Hawaii Professional Assembly. Over the past seven months, Board Member Moniz has more than proven his competence and efficiency and has become an essential and key member of the Board.

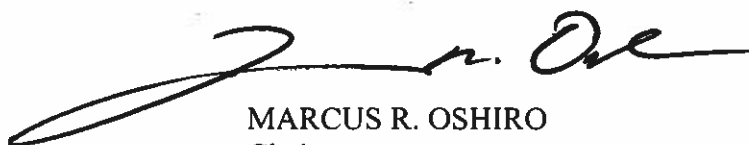
When Board Member Moniz and I look ahead and discuss ways to improve the Board's performance, he brings a unique perspective as an advocate or as we might say, "from the other side of the table." His recent hands-on experience and insight is not only unique but also invaluable to an agency that seeks to constantly improve its efficiency and effectiveness. In this regard, Board Member Moniz's relevant experiences with Chapter 89 will ensure that the Board's practice of *KAIZEN*, or continuous improvement, advances forward.

In closing, as a former colleague of many of you, I am very familiar with the expression, "The best person for the job is on the job," to express retention of a public servant for good cause and service. I submit that Board Member Moniz fits the bill and is the right person for the job.

For the above stated reasons, I humbly recommend without any reservation, the advice and consent of the Hawai'i State Senate to the appointment of Stacy Moniz to the Hawai'i Labor Relations Board, for a term to expire June 30, 2029.

Please call upon me should you have any questions.

Yours truly,



MARCUS R. OSHIRO
Chairperson
Hawai'i Labor Relations Board



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
The Senate
Committee on Labor and Technology

Testimony by
Hawaii Government Employees Association

March 25, 2024

GM 529 SUBMITTING FOR CONSIDERATION AND CONFIRMATION TO THE HAWAII LABOR
RELATIONS BOARD, GUBERNATORIAL NOMINEE, STACY MONIZ FOR A TERM TO EXPIRE 6-
30-2029

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO strongly supports the nomination of Stacy Moniz, as the Labor Representative to the Hawaii Labor Relations Board (HLRB).

In his capacity as our organization's Advocacy Chief, Mr. Moniz spent six years safeguarding the rights and benefits of public employees. Mr. Moniz has been a vital part of our organization's advocacy section – during his tenure, he was able to reduce the number of disciplinary actions taken against employees through informal resolution and has successfully overturned the most egregious, dumbfounding, and unfair decisions faced by employees. He has appeared many times before the HLRB and has effectively represented individuals, employee groups, and our organization in various labor disputes.

Mr. Moniz is extremely knowledgeable, articulate, prepared, and professional – he is respected and admired amongst his peers, and has stood out as a leader in our organization. Mr. Moniz is a strong advocate for employees and working families in Hawaii. He makes it a point to better understand laws and how that can work in favor of working families.

With the passage of Act 260 (2023), public sector unions are now given the opportunity to nominate **their** labor representative on the HLRB. We can confidently say the Mr. Moniz is our pick, and the unanimous choice of all six public sector unions. For all our organizations, his nomination is critical in ensuring that the voices of public sector employees are heard and fairly represented at the HLRB.

We offer our unequivocal support and endorsement of Stacy Moniz's nomination as the Labor Representative on the Hawaii Labor Relations Board and request the favorable consideration of your committee for his candidacy.

Respectfully submitted,

Randy Perreira
Executive Director



The Senate Committee on Labor, and Technology

March 25, 2024

3:00 PM

Room 224

RE: GM 529, Submitting for Consideration and Confirmation to the Hawaii Labor Relations Board, Gubernatorial Nominee, Stacy Moniz, for a term to expire 06-30-2029

Attention: Chair Henry Aquino, Vice Chair Sharon Moriwaki and
Members of the Committee

The University of Hawaii Professional Assembly (UHPA) **strongly supports** the nomination of Stacy Moniz to the Hawai'i Labor Relations Board.

Prior to his appointment, Mr. Moniz actively served as both an arbitrator for the Hawai'i Labor Relations Board (HLRB) and as the Advocacy Chief for the Hawaii Government Employees Association (HGEA). During that time, Mr. Moniz has demonstrated his vast knowledge and understanding in the process, procedure, and operations of the HLRB. Mr. Moniz's professional background has focused largely on labor relations for both public and private sector union issues, as well as a consultant in related areas of business operations, labor issues, and contract negotiations. This vast experience makes Mr. Moniz an ideal candidate for the HLRB, and the public sector union's unanimous choice as the labor representative on the Board.

Mr. Moniz has been a staunch advocate for Hawai'i's working families, effectively representing individuals, employee groups, and the HGEA before the HLRB, as well as promoting Hawaiian education and culture through his work with Hui O He'e Nalu. A consummate professional, we are confident that Mr. Moniz will review all cases brought before the HLRB in a fair and just manner, balancing both the rights of the employer with the rights of Hawai'i's working families.

We offer our **strong support** for Stacy Moniz's nomination as the Labor Representative on the Hawaii Labor Relations Board.

Respectfully submitted,

Christian L. Fern
Executive Director
University of Hawaii Professional Assembly

**University of Hawaii
Professional Assembly**



March 14, 2024

Henry J.C. Aquino, Chair
Sharon Y. Moriwaki, Vice Chair
Les Ihara, Jr., Member
Chris Lee, Member
Kurt Fevella, Member
Senate Committee on Labor and Technology
Hawai'i State Legislature

Re: **GM 529: Consideration and confirmation to the
Hawai'i Labor Relations Board of gubernatorial Nominee Stacy Moniz**

Dear Chair Aquino, Vice Chair Moriwaki, and Members Ihara, Lee, and Fevella:

I urge you to confirm Stacy Moniz as the Employee Member to the Hawai'i Labor Relations Board, Department of Labor and Industrial Relations, State of Hawai'i.

Here's why:

- In numerous labor arbitrations over the past six years, Mr. Moniz has appeared before me as the Advocacy Chief for HGEA.¹ Many of the arbitration hearings were weeks-long. As a result, I observed first-hand, and at length, Mr. Moniz's integrity, civility, and top-notch command of labor law and procedural issues.
- Mr. Moniz brought two critical skills to each arbitration which are fundamental to the quasi-judicial role of the HLRB: the ability to correctly analyze complicated issues, and to communicate that analysis in a clear and concise way.
- Mr. Moniz' capacity for hard work is remarkable. On many occasions, Mr. Moniz represented HGEA in complex, back-to-back arbitration hearings. This is especially important, given the huge volume of cases the HLRB must manage.
- Although labor arbitrations are adversarial proceedings, Mr. Moniz was consistently courteous to all. Even when he disagreed, he nevertheless respected management's point of view. He took the lead in settling cases whenever possible. I believe Mr. Moniz would conduct HLRB hearings so that each party would be able to present its best case, and each would feel the process was fair and dignified, even when the ruling went the other way.

Confirmation of Mr. Moniz to the HLRB would greatly benefit the practice of labor law and the public. At the same time, it would reflect on your wisdom in confirming such a superior person.

Mahalo.

Very truly yours,


Thomas E. Crowley, Esq.

¹ Labor arbitrations are confidential proceedings. As an impartial arbitrator, while I cannot comment on substantive issues and outcomes, I can report my experience regarding the professional conduct of advocates.



THE SENATE
THE THIRTY-SECOND LEGISLATURE
REGULAR SESSION OF 2024

COMMITTEE ON LABOR AND TECHNOLOGY

March 25, 2024

Testimony in Support of GM529, Submitting for consideration and confirmation to the Hawai'i Labor Relations Board, Gubernatorial Nominee, STACY MONIZ, for a term to expire 06-30-2029.

The Honorable Henry J.C. Aquino, Chair, The Honorable Sharon Y. Moriwaki, Vice Chair, and Members of the Senate Committee on Labor and Technology:

My name is Liz Ho, and I am the Area Field Services Director in Hawaii of the 1.4-million-member American Federation of State, County and Municipal Employees (AFSCME), AFL-CIO, the national union representing over 50,000 members in Hawaii. AFSCME members are members of the Hawai'i Government Employees Association (HGEA), United Public Workers (UPW), East-West Center Employees Association AFSCME Local 928 and United Nurses Association of California/Union of Health Care Professionals (UNAC/UHCP). (Note: UNAC/UHCP represents registered nurses and other health care professionals at Maui Memorial Medical Center and pharmacists at Kaiser facilities across the State of Hawaii.) I am writing in support of the appointment of Mr. Stacy Moniz as the labor representative to the Hawaii Labor Relations Board (HLRB).

The mission of the HLRB is to enforce and protect the rights of employees and unions in Hawai'i and its focus is to safeguard labor rights and promote a harmonious working environment. By training and experience, Mr. Moniz is very qualified to serve on this very important board. I have worked with Mr. Moniz when he was the Advocacy Chief for the HGEA and have always been impressed with his passion and commitment when advocating for the protection of workers' rights while also recognizing the importance of maintaining a fair and balanced relationship between workers and employers. During Mr. Moniz's interim appointment to the HLRB for the past 6-months, I believe he has fully demonstrated his dedication and commitment to public service, and he has greatly contributed and made a positive impact on the Board based on the high volume of cases that have been heard and decisions that have been rendered.

I strongly support and respectfully urge you to confirm Mr. Moniz to serve as a member of the HLRB where he will provide excellent public service. Thank you for the opportunity to testify in support of Mr. Moniz and your kind consideration of Mr. Moniz's appointment.

Respectfully submitted,

A handwritten signature in black ink that reads 'Liz Ho'. The signature is written in a cursive, flowing style.

Liz Ho
Area Field Services Director



Randy Perreira
President

HAWAII STATE AFL-CIO

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The Thirty-Second Legislature
The Senate
Committee on Labor and Technology

Testimony by
Hawaii State AFL-CIO

March 25, 2024

TESTIMONY ON GM529 - SUBMITTING FOR CONSIDERATION AND CONFIRMATION TO THE HAWAII LABOR RELATIONS BOARD, GUBERNATORIAL NOMINEE STACY MONIZ, FOR A TERM TO EXPIRE 06-30-2029.

Chair Aquino, Vice Chair Moriwaki, and members of the committee:

The Hawaii State AFL-CIO is a federation of 74 affiliate labor organizations representing over 68,000 union members in the State of Hawaii. The AFL-CIO serves its affiliates by advocating for workers and their families before the state legislature and other state and county government branches.

The Hawaii State AFL-CIO **strongly supports** GM529, which seeks the confirmation of Stacy Moniz to the Hawaii Labor Relations Board for a term ending June 30, 2029. Mr. Moniz has an extensive background, particularly as the former Advocacy Chief for the Hawaii Government Employees Association. He demonstrates a deep commitment to labor rights and a thorough understanding of the complexities involved in labor relations.

His legal education and hands-on experience in labor negotiations, arbitration, and representation before the Hawaii Labor Relations Board make him an exceptionally qualified candidate for this position. Beyond his professional qualifications, Stacy's involvement in community organizations and his role as an arbitrator show a balanced approach to labor relations, emphasizing advocacy, mediation, and conflict resolution. This ability to navigate complex labor disputes with a fair and just hand is what the Hawaii Labor Relations Board needs to foster a productive and harmonious labor environment in our state.

Given his proven track record, extensive experience in labor law, and unwavering commitment to the principles of justice and fairness, the Hawaii State AFL-CIO firmly believes that Stacy Moniz is the right choice for this position.

Respectfully submitted,

Randy Perreira
President

GM-529

Submitted on: 3/22/2024 12:09:27 PM

Testimony for LBT on 3/25/2024 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Patrick Max Weisbarth	Testifying for Sailors Union of the Pacific	Support	Written Testimony Only

Comments:

The Sailors Union of the Pacific (Honolulu Branch) supports the confirmation of Stacy Moniz to the Hawai'i Labor Relations Board.

Patrick Max Weisbarth

SUP Port Agent



STATE OF HAWAII ORGANIZATION OF POLICE OFFICERS
" A Police Organization for Police Officers Only "
Founded 1971

March 22, 2024

The Honorable Henry J.C. Aquino, Chair
The Honorable Sharon Y. Moriwaki, Vice-Chair
Senate Committee on Labor and Technology
Hawaii State Capitol
415 South Beretania Street
Honolulu, HI 96813

Re: **Support for Stacy Moniz for Confirmation to the Hawaii Labor Relations Board (GM 529)**

Dear Chair Aquino, Vice-Chair Moriwaki, and Honorable Committee members:

SHOPO proudly represents over 2,700 police officers from the Honolulu, Maui, Kauai, and Hawaii Police Departments and is composed of four separate Chapters, Honolulu, Maui, Hawaii, and Kauai. SHOPO is dedicated to promoting local, state, and federal policies that protect public safety. We strive to work in partnership with community members because together, we can build stronger and safer neighborhoods.

The State of Hawaii Organization of Police Officers ("SHOPO") stands in **strong support** of Stacy Moniz's confirmation to the Hawaii Labor Relations Board.

Mr. Moniz is a very experienced and talented advocate who is well-versed in labor law. His father was a police officer, and he has always been willing to give back to the community, including receiving accommodations from the Honolulu Police Department for his work with youth sports. He is well known for his exemplary work in the area of labor law, including several groundbreaking arbitration awards as the Advocacy Chief of the Hawaii Government Employees Association ("HGEA"). His vast experience, intelligence, and sense of fairness will be an asset to the HLRB. Indeed, he began serving as a board member on the HLRB a few months ago, and is building a strong reputation as a smart, fair and able board member with a pleasant and friendly demeanor.

We are proud to support Mr. Moniz as the labor representative on the HLRB pursuant to HRS § 89-5(b), and kindly ask that you confirm his appointment.

Respectfully submitted,

ROBERT "BOBBY" CAVACO
SHOPO President

RC jmo

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INTERNATIONAL LONGSHORE & WAREHOUSE UNION

LOCAL OFFICE • 451 ATKINSON DRIVE • HONOLULU, HAWAII 96814 • PHONE 949-4161

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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

March 21, 2024

The Thirty-Second Legislature
Regular Session of 2024

THE SENATE

Committee on Labor and Technology

The Honorable Henry J.C. Aquino, Chair

The Honorable Sharon Y. Moriwaki, Vice-Chair

State Capitol, Conference Room 224 & Videoconference

Monday, March 25, 2024, at 3:00 p.m.

Re: GM 529: Support for Stacy Moniz for Confirmation to the Hawaii Labor Relations Board

Dear Chair Aquino, Vice-Chair Moriwaki, and Honorable Committee members:

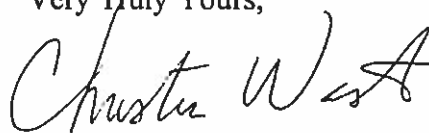
My name is Christian West, and I am the President of the International Longshore and Warehouse Union ("ILWU") Local 142. We are the largest private union in the State of Hawaii with over 1800 members that are employed in every major industry in the state, including longshore, general trades, tourism, and agriculture. I write to you on behalf of the ILWU Local 142 in strong support for Stacy Moniz's confirmation to the Hawaii Labor Relations Board ("HLRB").

As you know HRS § 89-5(b) requires three members to sit on the board: one member representative of management, one member representative of labor, and one member representative of the public. We can think of no individual more appropriate to represent labor on the HLRB than Stacy Moniz. We are very proud to know Stacy who has represented individuals and classes in numerous labor disputes most recently as the Advocacy Chief of the Hawaii Government Employees Association ("HGEA"), Hawaii's largest union with nearly 37,000 members statewide representing 9 of the 15 collective bargaining units of public state and county employees. His advice, advocacy and leadership have no doubt helped to grow HGEA into a well-respected organization and a leader in collective bargaining in Hawaii. During his tenure at HGEA, he was involved in the negotiation of numerous lucrative collective bargaining agreements that have served as exemplars for other unions. Stacy is well respected and is known as a tough and aggressive advocate that is also reasonable, efficient and smart. In this capacity, his acumen and staunch determination has changed the lives of many ordinary people who needed someone in their corner during their most challenging times. In one such example, a member diagnosed with cancer who was denied leave publicly attributed his victory to Stacy Moniz's unwavering commitment to not give up. Stacy exemplifies the aloha spirit and steadfast

work ethic of its people, and we are confident that he has the tools, experience, knowledge and background to be an exceptional member of the HLRB.

Thank you for this opportunity to comment on Stacy Moniz.

Very Truly Yours,

A handwritten signature in cursive script that reads "Christian West". The signature is written in black ink and is positioned above the printed name.

Christian West
President, ILWU Local 142



HAWAII PORTS MARITIME COUNCIL

affiliated with

Maritime Trades Department

AMERICAN FEDERATION OF LABOR and CONGRESS OF INDUSTRIAL ORGANIZATION

606 Kalihi Street Honolulu, Hawaii 96819

TELEPHONE: (808) 845-5222

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Member Unions:

March 22, 2024

*American Federation Of
Government Employees*

Senate Committee on Labor and Technology

*Hawaii Government
Employees Association,
AFSCME Local 152*

Honorable Henry Aquino, Chair

Honorable Sharon Moriwaki, Vice Chair

*Hawaii Pilots Association,
MM&P Pilots Division*

Members of the Senate Committee on Labor and Technology

*Inlandboatmen's Union
of the Pacific*

RE: GM529 SUBMITTING FOR CONSIDERATION AND CONFIRMATION
TO THE HAWAII LABOR RELATIONS BOARD, GUBERNATORIAL
NOMINEE, STACY MONIZ FOR A TERM TO EXPIRE 6-30-29

*International Brotherhood of
Boilermakers, Iron Ship
Builders, Blacksmiths,
Forgers and Helpers
Lodge 627*

Dear Chair Aquino and Members of the Committee:

*International Brotherhood of
Electrical Workers Local 1186*

The Hawaii Ports Maritime Council strongly supports Stacy Moniz to serve as a
Labor Representative to the Hawaii Labor Relations Board

*International Brotherhood of
Electrical Workers Local 1260*

Stacey has a wealth of employment experience and currently works as Advocacy
Chief for HGEA. Stacey has appeared many times before the HLRB and has
been an effective advocate for HGEA, it's members and employee groups.

*International Longshore and
Warehouse Union Local 142*

*International Union of
Elevator Constructors
Local 126*

Stacey will be a valuable addition to the Hawaii Labor Relations Board, and we
enthusiastically encourage a favorable recommendation.

*Ironworkers Union
Stabilization Fund
Local 625*

Sincerely,

*Laborers' International Union
of North America Local 368*

*Marine Engineers'
Beneficial Association*

Randy Swindell
President

*Marine Firemen,
Watertenders, Oilers & Wipers*

*Masters, Mates and Pilots,
Offshore Division*

Sailors' Union of the Pacific

Seafarers International Union

Sheet Metal Workers Local 293

*United Food and Commercial
Workers International Union
Local 480*



Rosalee Agas Yuu, RN
President
1600 Ala Moana Blvd Suite 100
Honolulu, HI 96815
Tel: (808) 531-1628
Fax: (808) 524-2760

The Thirty-Third Legislature, State of Hawai'i
The Senate
Committee on Labor & Technology

Testimony by
Hawaii Nurses Association

March 25, 2024

GM 529 SUBMITTING FOR CONSIDERATION AND CONFIRMATION TO THE HAWAII LABOR RELATIONS BOARD. GUBERNATORIAL NOMINEE - STACY MONIZ FOR A TERM TO EXPIRE 6-30-2029

DATE: Tuesday, March 25, 2024
TIME: 3:00 PM
PLACE: Conference Room 224

Chair Aquino and Committee on Labor & Technology,

The Hawaii Nurses Association - OPEIU Local 50, affiliated with the AFL-CIO founded in 1917, represents 4,000 nurses, respiratory therapists, and other healthcare workers across the State of Hawai'i. We are grateful for this opportunity to express our **Strong Support** of the nomination of Stacy Moniz to the Labor Relations Board.

Stacy Moniz is an exceptional figure within labor organizations, known for his profound expertise, eloquence, and dedication to the cause. He commands respect and admiration from his peers, having demonstrated outstanding leadership qualities. His advocacy for employees and working families in Hawaii is unwavering, consistently striving to navigate legal intricacies in their favor.

We wholeheartedly endorse Stacy Moniz's candidacy as the Labor Representative on the Hawaii Labor Relations Board, urging your committee to consider his nomination favorably.

Respectfully,

Rosalee Agas-Yuu,
President

Debra A. Kagawa-Yogi
66 Queen Street, #3404
Honolulu, Hawaii 96813

March 22, 2024

Senator Henry J.C. Aquino, Chair
Senate Committee on Labor and Technology
Hawaii State Capitol, Room 204
415 South Beretania Street
Honolulu, Hawaii 96813

Re: GM 529 SUBMITTING FOR CONSIDERATION AND CONFIRMATION TO
THE HAWAII LABOR RELATIONS BOARD, GUBERNATORIAL
NOMINEE, STACY MONIZ, FOR A TERM TO EXPIRE 06-30-2029

Dear Chair Aquino, Vice Chair Moriwaki and Members of the Committee:

I am an attorney licensed to practice law in Hawaii since 1994, and former Deputy Executive Director for the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO (“HGEA”). I write in strong support of the nomination of Stacy Moniz as labor’s representative on the Hawaii Labor Relations Board (“HLRB”). I have known Stacy for more than 40 years, and worked with him for 10 of them. We both grew up on Kauai and attended Waimea High School. Our paths crossed again when we were employed at the same law office in Honolulu, and then most recently while working for the HGEA where Stacy served as the Advocacy Chief from 2017 through 2023.

Stacy is an extremely smart, quick-witted and skilled advocate. He brought his “A” game to every case he worked on. He did his homework, lots of it, and was always well prepared, organized and ready. Stacy provided outstanding assistance and representation to public employees in numerous positions statewide on countless and complex issues. He personally handled grievances and arbitrations on behalf of employees in the different bargaining units; appeared before the HLRB on prohibited practice cases to protect the rights of bargaining unit employees and their exclusive representative; served as the union’s representative on interest arbitration panels for collective bargaining disputes; and provided training to colleagues and employees on matters covered by our collective bargaining law, Chapter 89, Hawaii Revised Statutes (“HRS”). He has been a fierce advocate for labor who has consistently demonstrated integrity, empathy, decisiveness, fairness, good judgment, and common sense.

These experiences have provided Stacy with a solid foundation and understanding of collective bargaining, Chapter 89, HRS and the various collective bargaining agreements. He is equipped with the necessary skill set and knowledge to ensure that collective bargaining is

conducted in accordance with Chapter 89, HRS, that the merit principle is maintained in accordance with Section 76-1, HRS, and that justice is served.

For all of these reasons, I wholeheartedly believe that Stacy will be a tremendous asset to the HLRB and humbly ask for your support of his nomination as labor's representative on the Board.

Thank you for the opportunity to submit testimony in support of Stacy's nomination.

Respectfully submitted,

Debra A. Kagawa-Yogi

DEBRA A. KAGAWA-YOGI
JD# 6169

GM-529

Submitted on: 3/15/2024 10:48:18 AM

Testimony for LBT on 3/25/2024 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Karl Sakamoto	Individual	Support	Written Testimony Only

Comments:

I am writing in full support of Stacy Moniz for confirmation to the Hawai'i Labor Relations Board.

I have known Mr. Moniz for over 30 years, and have had both court cases and arbitration cases with him as an advocate. He is without a doubt a strong advocate- prepared, logical, and persuasive. Mr. Moniz is a fearsome advocate but he is also objective, reasonable and pragmatic in the realities of litigation and disputes. He possesses strong social skills, a sense of humor, and is highly perceptive of an individual's mindset. Mr. Moniz gets along well with his peers. The skills, knowledge, and experience he has acquired over the decades will definitely serve him well in labor issues and disputes.

Please confirm Mr. Moniz for the position on the Board. I believe he will be an excellent addition and serve the interests of the State of Hawai'i extremely well.

Mahalo

Karl K Sakamoto, Judge (Retired)

GM-529

Submitted on: 3/15/2024 6:11:43 AM

Testimony for LBT on 3/25/2024 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
James Nicholson	Individual	Support	Written Testimony Only

Comments:

Senator Aquino & members of the Committee.

As a former Chair of the Hawai'i Labor Relations Board and personal friend I fully support the nomination of Stacy Moniz to serve on the Board as the Labor representative. There is no question regarding his qualifications to serve having spent the last few years working for & advocating on behalf of HGEA.

Thank you for your consideration

James Nicholson

GM-529

Submitted on: 3/15/2024 2:55:43 PM

Testimony for LBT on 3/25/2024 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Bronson K. Silva	Individual	Support	Written Testimony Only

Comments:

Senator Henry J.C. Aquino, Chair, Senator Sharon Y. Moriwaki, Vice Chair, and members of the Senate Committee on Labor and Technology:


I would like to express my **support** for the confirmation of Mr. Stacy Moniz to the Hawaii Labor Relations Board. Thank you for your consideration.

Mahalo,


Bronson K. Silva

TO : State of Hawaii-Legislature's Senate Committee on Labor & Technology

VIA : Senate District 19-Senator Henry J.C. AQUINO, Chair
: Senate District 12-Senator Sharon Y. MORIWAKI, Vice Chair

FROM : Thomas K. CAYETAO-Hawaii Resident & State Governmental Civil Servant
Thomas.k.cayetano@gmail.com/808.368.8938 

SUBJECT : Gubernatorial Nominee Stacy MONIZ's Appointment to Hawaii Relations Board

Date : March 15, 2024/Friday/05:10 

Chair-AQUINO, Vice Chair-MORIWAKI and Members of this Honorable Committee:

I am submitting this written testimony in "strong support," of confirming Gubernatorial Nominee Stacey Moniz's Appointment to the "Hawaii Relations Board."

Please allow this writer to introduce myself to this Honorable Committee; I am a lifelong resident of this state. I further have been a "sworn," state civil servant since December of 1983. I have additionally attained the following; Recipient of Hawaii's "Top Cop," award (2004), Higher academic achievements (2011-13) HCC-AS/Associate of Science-Police Science, Wayland Baptist University's Hawaii Campus-BSOE/Bachelor of Science-Specialization in Law-Enforcement (2011 Outstanding Achievement Award Recipient), CMU-Central Michigan University Off Campus Class Valedictorian for 2012 Class Commencement of receiving (1) MS-Master's in Public Admin & (1) MS Certificate-Leadership Field of Study; Honolulu Crime-Stoppers "Most Wanted," Fugitives Receptiant "5," years consecutive (1998-2003) with the apprehension of Hawaii's Most Wanted Fugitives;

I personally would like to share the following: In February 2020, I was "Terminated," from being a state civil servant, despite "35," plus years of loyal and dedicated service. In June 2021, I was reinstated to employment with the state. The "arbitration," case was before a respected arbitrator with many years of experience. It was determined the state did not have "Proper Cause," due to investigative means not being performed fairly, objectively, thus being incomplete; therein "Due Process," being violated and "Wrongly terminated!"

It was Mr. Stacy MONIZ, who handled this case; he presented the various issues vigorously and meticulously; thus said outcome was corrected. During my years of employment, I have been told by many, whom I have saved his/her life via arresting said individual; well plainly put, "Mr. Moniz saved this writer's life!" and "I am FORVER indebted! To him!" Mr. MONIZ's education, life's experiences, and employment brings forth A LOT of knowledge, experience and "Mana'o," to the people whom will go before the Hawaii Labor Relations Board. His further "Dedication and Commitment," are traits that will truly serve the honorable Board in its mission in "seeking the truth and rendering a just finding."

Gary M. Levitt, Attorney at Law

2201 Davies Pacific Center
841 Bishop Street
Honolulu, Hawaii 96813

Telephone: (808) 224-5545
Email: gmlevitt@gmail.com

March 15, 2024

Senate Committee on Labor and Technology
Henry J.C. Aquino, Chair
Sharon Y. Moriwaki, Vice Chair
Les Ihara, Jr., Member
Chris Lee, Member
Kurt Fevella, Member

Re: Governor's Message No. 529 Submitting for Consideration and Confirmation to the Hawaii Labor Relations Board, Gubernatorial Nominee, Stacy Moniz

Dear Chair, Vice Chair and Members of the Committee:

I am writing in strong support of Stacy Moniz's confirmation to the Hawaii Labor Relations Board.

I have known Mr. Moniz in a professional and personal capacity for more than Thirty-Seven (37) years. Stacy and I have worked together on, and I have sought his consult on an uncountable number of legal/business matters throughout those years. Stacy's knowledge, command of a courtroom and his interaction with witnesses and judges is a pleasure to observe. I have always looked to Stacy for his ability to listen, understand the issues, provide solutions, and advise me on the appropriate procedural pathway. Over all the years I have never had any question as to his honesty, integrity, or professionalism.

I followed Stacy's work in his recent role as the Advocacy Chief of HGEA. It does not surprise me that he was very successful on numerous arbitrations and HLRB cases, including the temporary hazard pay arbitrations for public workers. I have no doubt that Stacy will be a hardworking and dedicated member of the HLRB.

Stacy has always been there to provide me and my family advice and support on business and personal matters. I strongly support his confirmation and believe he will be a great Labor Relations Board Member, who will serve the public and all those who come before him and the Board.

Sincerely,


Gary M. Levitt

Toni Rust

55 Lauie Dr.
Kula, HI 96790

March 18, 2024

The Honorable Ronald D. Kouchi, President
and Members of the Senate
Hawaii State Capitol
Honolulu, HI 96813

Dear President Kouchi and Members of the Senate:

I write this letter in **strong support** of the confirmation of Mr. Stacy Moniz as the representative of labor to the Hawaii Labor Relations Board.

As the Maui Island Division Chief of the Hawaii Government Employees Association (HGEA), I have repeatedly experienced Stacy's unwavering commitment to represent the voices of labor with clear regard and application of the pertinent law texts that govern personnel matters. I trust in his ability to balance the needs of employees and his obligation as a board member making him an asset to both the labor community and to the Labor Board.

Please give favorable consideration to the confirmation of his nomination.

Mahalo,

A handwritten signature in cursive script that reads "Toni Rust". The signature is written in black ink and is positioned to the left of the typed name and title.

Toni Rust
Maui Island Division Chief, HGEA

DATE: March 20, 2024

TO: Senate Committee on Labor and Technology

FROM: Josette Kawana, RN-BC

In Support of
GOVERNOR's MESSAGE 529

Submitting for consideration and confirmation to the Hawaii Labor Relation Board, Gubernatorial Nominee, Stacy Moniz, for a term to expire 6/30/2029.

Chair Aquino, Vice Chair Moriwaki, and members of the Senate Committee on Labor and Technology.

I am writing in support of Governor's Message 529, submitting for consideration and confirmation to the Hawaii Labor Relation Board, Gubernatorial Nominee, Stacy Moniz, for a term to expire 6/30/2029.

Stacy was assigned to the RNs as an agent for the Hawaii Government Employees' Association (HGEA). Even though Stacy advanced to HGEA Advocacy Chief, he continued as our agent for the nurses at HSH until his appointment by Governor Green to the HLRB. Stacy believed in us; thus, the nurses believed and trusted him. I believe Stacy did more for the nurses than anyone else while employed at HGEA. He openly shared, explained and updated the nurses on the status of our grievances and Prohibited Practice Complaints (PPC).

Stacy helped when the HSH Administration manipulated the use of overtime and did not pay the nurses appropriately. Stacy protected our contractual and labor rights against an Administration whose culture was fear and retaliation.

Stacy helped when the HSH Human Resource (HR) Specialist poorly implemented the Hawaii Information Portal (HIP). He filed grievances that resulted payments in thousands of dollars of lost wages for many nurses. Several nurses did not receive a check or received half their salaries and were surviving on their savings due to the gross incompetence of HSH HR implementation of HIP.

Stacy helped when the HSH Administration implemented an unfair mandatory overtime practice for the RNs which penalized the nurses who came to work. Administration often threatened and harassed the nurses with the loss of their jobs if they did not stay for another eight hours, 16-hrs shift. On several occasion this meant consecutive sixteen hours shift for nurses that were exhausted or had responsibilities that could not be ignored.

Just as Stacy helped the nurses at HSH, I believe he will do the same as the labor representative in his position at HLRB.

Thank you for your consideration and the opportunity to comment.

Josette Kawana, RN-BC

Testimony Presented Before the
Senate Committee on Labor and Technology
The Honorable Henry J.C. Aquino, Chair
The Honorable Sharon Y. Moriwaki, Vice Chair

Monday, March 25, 2024 at 3:00 p.m.
Conference Room 224, State Capitol
and Videoconference

by Bernard P. Carvalho Jr.

Governor's Message No. 529
Submitting for Consideration and Confirmation to the Hawaii Labor Relations Board,
Gubernatorial Nominee, STACY MONIZ, for a term to expire 06-30-2029

Chair Aquino, Vice Chair Moriwaki, and Members of the Committee:

I am writing in strong support of Stacy Moniz's confirmation to the Hawaii Labor Relations Board.

I've known Stacy Moniz for over 40 years from our time in high school and throughout our time in our professional careers. As a former Mayor of the Island of Kaua'i from 2008-2018 and current Kauai County Council member, we've upheld our relationship on both the personal and professional level. Stacy has demonstrated exceptional commitment and dedication to our communities at various levels. I have had the privilege of witnessing firsthand his outstanding ability to advocate for others. He has dedicated countless hours to supporting programs and initiatives where his expertise is invaluable. It has been an honor to be able to watch him grow and serve our community and I am confident that his role on the Hawaii Labor Relations Board will make a significant impact. Stacy embodies the Aloha Spirit, which I truly believe is the most important characteristic to have in service to the community..

Thank you for the opportunity to provide testimony in strong support of Governor's Message No. 529 and the confirmation of Stacy Moniz to the Hawaii Labor Relations Board.

March 25, 2024 Committee on Labor and Technology Hearing

**(TESTIMONY ON THE CONFIRMATION HEARING OF
GUBERNATORIAL NOMINEE, STACY MONIZ,
TO THE HAWAII LABOR RELATIONS BOARD)**

Committee Chair Aquino, Vice Chair Moriwaki and Committee members, my name is Michael Broderick and I am writing to support, in the strongest way possible, the Gubernatorial nomination of Mr. Stacy Moniz to the Hawaii Labor Relations Board (HLRB).

I have worked extremely closely with Mr. Moniz. For the last six months of 2022, and all of 2023, I was the arbitrator in a case in which Mr. Moniz represented one of the parties. The arbitration hearing lasted 17 days, during which 157 witnesses were called, two hundred and twenty five exhibits were introduced, and the arbitration hearing transcript was 2,875 pages.

I conservatively estimate that over the course of the seventeen day arbitration, Mr. Moniz and I were together approximately one hundred hours, either in-person or through zoom. When you spend that much time with a person, you get to know their substantive abilities, and their personal attributes, extremely well. Mr. Moniz has exceptional substantive abilities, and exceptional personal attributes.

When I practiced law, I dealt with many attorneys. When I was a State Court Judge, I presided over hundreds of trials and hundreds of settlement conferences, in which hundreds and hundreds of attorneys appeared before me. Currently, as a mediator and arbitrator, I continue to work with numerous attorneys.

In my forty two (42) year career, Mr. Moniz is one of the top five lawyers I have ever worked with. Mr. Moniz is extremely bright, and his analytical abilities are exceptional. His writing ability is superior and Mr. Moniz's verbal skills are as honed as any attorney, or non-attorney, that I have ever worked with. His ability to quickly assess complex legal and factual material, and to synthesize it, is remarkable. In short, Mr. Moniz's legal abilities are outstanding. Finally, just a

cursory review of Mr. Moniz’s resume shows he has a tremendous amount of labor law experience—exactly the type of legal experience needed to serve on the HLRB.

Just as important, perhaps even more important, Mr. Moniz has admirable personal attributes. No one will dispute that Mr. Moniz was a vigorous advocate for his clients. He certainly was in our case. And yet, despite his vigorous advocacy, based on my extensive experience with Mr. Moniz, I can say with 100% confidence that Mr. Moniz is a person of high ethics, is honest, has unquestionable integrity, and unimpeachable character. He also has a great sense of humor.

As I think about the HLRB, and the critical issues that the Board decides, I literally cannot think of anyone more qualified to serve as a member of the HLRB than Mr. Moniz. The State of Hawaii, and its residents, will greatly benefit from Mr. Moniz’s service.

For all of the reasons I have shared, Mr. Moniz has my strongest, and my unequivocal, support.

I respectfully urge the Committee to support Mr. Moniz’s nomination.

Mahalo for your consideration.

A handwritten signature in cursive script that reads "Michael Broderick". The signature is written in black ink and is positioned above a horizontal line.

Judge Michael Broderick (Ret.)

March 21, 2024

Broderick Dispute Resolution
1164 Bishop Street, Suite 924
Honolulu, HI 96822
Phone: (808) 748-2160
info@broderickresolution.com

*Richard T. Bissen, Jr.
530 Pohaku Street
Kahului Hawaii 96732*

March 19, 2024

TO: Senate Labor and Technology Committee

FROM: Richard T. Bissen, Jr. *RTB*

RE: GM 529 Appointment of Stacy Moniz to Hawaii Labor Relations Board

Aloha Chair Aquino, Vice Chair Moriwaki and Members of the Senate Committee on Labor and Technology:

My name is Richard T. Bissen, Jr. and I am writing in support of the appointment of Stacy Moniz to the Hawaii Labor Relations Board (HLRB), in GM529 for a term to expire 06-30-2029.

I have known Mr. Moniz since attending law school together in the early 80s at the William S. Richardson School of Law at the University of Hawaii Manoa. Although he was in the class just ahead of me, we played on the same intramurals and Lawyer's League basketball teams.

Stacy's impressive resume indicates that he is not only well-qualified for this position, but also a strong and confident leader. The move from appearing before the HLRB and as an arbitrator to now, being a nominee to the HLRB, is the next logical step for him. We can expect full transparency, fair decisions and decisive leadership from him.

If you have further questions, you may contact me at (808) 276-0172.

GM-529

Submitted on: 3/22/2024 8:20:57 AM

Testimony for LBT on 3/25/2024 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
john komeiji	Individual	Support	Written Testimony Only

Comments:

Chair Aquino and Members of the Committee,

I fully support the confirmation of Stacy Moniz to the Hawaii Labor Relations Board.

I have known Stacy for over forty years. We initially met as counsel on opposite sides of a case.

Over the years I have gotten to know Stacy very well. He is intelligent, has keen analytical abilities, is very articulate and compassionate. On a professional basis, he was an excellent advocate and litigator. I am sure that he will bring his broad experience, his analytical skills and common sense to the decision-making facing the Board. I have no doubt that he will be an asset to the Board and assist the Board in reaching appropriate decisions.

Mahalo for the opportunity to share my support for Stacy.

John Komeiji

Scott K.S. Collins
790 Punahou Street
Honolulu, HI 96826

March 25, 2024

Thirty Second Legislature
Senate Committee on Labor and Technology
Senator Henry Aquino, Chair
Senator Sharon Moriwaki, Vice Chair
Members of the Committee

GM529 – Nomination of Stacy Moniz to the Hawaii Labor Relations Board

I am writing to voice my strong support of Governor Green's nomination of Stacy Moniz to the Hawaii Labor Relations Board.

Stacy and I worked together for seven years while at the Hawaii Government Employees Association. During that time, we became well acquainted both professionally and personally as he was always willing to take the time to help myself and others.

Stacy has consistently been a forceful advocate for workers rights, benefits, and protections. He carries extensive knowledge and experience in Hawaii's Public Sector collective bargaining law's and agreement's. This combined with his years of legal experience make him an exceptional candidate for the Hawaii labor Relations Board.

Stacy has the character and intelligence needed to succeed as the Employee Representative on the Board. He will be a dedicated public servant and valuable member of the team. I urge the members of this committee to favorably consider Stacy's nomination to the Hawaii Labor Relations Board.

Thank you for the opportunity to testify in strong support of GM529.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Scott Collins', written in a cursive style.

Scott Collins

Christopher K. Nii
PO Box 3612
Lihue, HI 96766

March 25, 2024

Thirty Second Legislature
Senate Committee on Labor and Technology
Senator Henry Aquino, Chair
Senator Sharon Moriwaki, Vice Chair
Members of the Committee

GM529 – Nomination of Stacy Moniz to the Hawaii Labor Relations Board

I am writing to provide my strong support of Governor Green's nomination of Stacy Moniz to the Hawaii Labor Relations Board.

I had the great honor and privilege to work with Stacy for three years at the Hawaii Government Employees Association. He was an excellent mentor who truly cares about the people of Hawaii, especially the hard-working government employees.

Stacy has consistently been a forceful advocate for workers' rights, benefits, and protections. He carries extensive knowledge and experience in Hawaii's Public Sector collective bargaining laws and agreements. This combined with his years of legal experience make him an exceptional candidate for the Hawaii labor Relations Board.

Stacy has the character and intelligence needed to succeed as the Employee Representative on the Board. He will be a dedicated public servant and valuable member of the team. I urge the members of this committee to favorably consider Stacy's nomination to the Hawaii Labor Relations Board.

Thank you for the opportunity to testify in strong support of GM529.

Respectfully submitted,

Chris Nii

March 22, 2024

The Honorable Henry J.C. Aquino, Chair
The Honorable Sharon Y. Moriwaki, Vice Chair, and
Members of the Senate Committee on Labor and Technology
Hawai'i State Capitol
415 South Beretania Street
Honolulu, Hawai'i 96813

Dear Chair Aquino, Vice Chair Moriwaki, and Members of the Committee:

Re: **Governor's Message No. 529, Submitting for Consideration and Confirmation to the Hawaii Labor Relations Board, Gubernatorial Nominee, STACY MONIZ, for a term to expire 06-30-2029**

My name is Nora Ebata, and I am writing in support of Stacy Moniz's confirmation to the Hawai'i Labor Relations Board (HLRB or Board).

I am the former secretary to the HLRB. I retired from State service in December 2022 after having been employed with the Department of Labor and Industrial Relations for more than 50 years. Forty of those years were spent in service to what is now known as the HLRB.¹

I first met Board Member Moniz when he practiced before the Board as a representative for the Hawaii Government Employees Association. Board Member Moniz was always polite and professional in his interactions with the HLRB staff, and we always enjoyed conversations with him when he called or appeared before the Board.

Since Board Member Moniz was appointed to the Board in August 2023, I have had the pleasure of working with him in my capacity as a front office volunteer with the HLRB. Board Member Moniz is hardworking and committed to his job and treats the staff with respect and good humor. He has shown himself to be open, principled, and a dedicated family man, which I admire.

I have worked with and served under every Board Chair and member of the HLRB since its inception. I wholeheartedly support the confirmation of Stacy Moniz to Hawai'i Labor Relations Board.

Respectfully submitted,



Nora A. Ebata

¹ When I began working for the Board in 1982, the Board, which administered Hawai'i Revised Statutes (HRS) Chapter 89 (Collective Bargaining in Public Employment), was known as the Hawaii Public Employment Relations Board (HPERB). HPERB was distinguished from the Hawaii Employment Relations Board (HERB), which administered HRS Chapter 377 (Hawaii Employment Relations Act). In 1985, HERB was abolished, and its duties were transferred to HPERB, which was renamed the Hawai'i Labor Relations Board.

HAWAII SENATE COMMITTEE on LABOR & TECHNOLOGY

TESTIMONY in SUPPORT

THE NOMINATION of STACY MONIZ as a MEMBER of
HAWAII LABOR RELATIONS BOARD

RESPECTFULLY SUBMITTED BY

J N. Musto, Ph.D.

I have professionally known and interacted with Stacy Moniz for more than a decade. For more than 35 years, I was the Executive Director and Chief Negotiator of the University of Hawaii Professional Assembly, the exclusive representative of bargaining unit 7 pursuant to HRS Chapter 89. In 2016, Governor Ige appointed me as one of three Board Members on the Hawai'i Labor Relations Board. I served on the HLRB for more than 7 years. On August 17, 2023, Governor Green appointed Mr. Moniz as an interim replacement to the seat which I held, pending confirmation by the Senate.

On multiple occasions over my years on the HLRB, Mr. Moniz appeared before the Board representing the Hawaii Government Employees Association, AFSCME, Local 152, AFL-CIO. His advocacy demonstrated a clear and comprehensive understanding of both HRS Chapters 89 and 377, as well as Hawai'i Administrative Rules, Chapter 43 (to which Mr. Moniz had submitted comments before adoption of those Rules during my tenure on the HLRB). There is no question that Mr. Moniz has the background, preparation, and understanding of the Hawaii Revised Statutes and Administrative Rules necessary to carry out his duties on the Board should he be confirmed by the Senate. He is a skilled advocate who understands the unique nature of the HLRB as a quasi-administrative law agency. He is well prepared to carry out the duties of a Board Member.

His background in the law allows him the capacity to actively participate in the various hearings brought before the Board. Appearances on behalf of public employees or others covered by the jurisdiction of the HLRB does not require one to be admitted to the Hawaii Bar Association. Although my academic background and experience provided me with an understanding of legal principles, judicial procedures, and the law, I am not an attorney. However, on numerous occasions I was the Board's Presiding Officer for hearings and trials.

In my experience, Mr. Moniz has always presented himself in a straightforward and honest manner. I do not question his integrity or commitment to the faithful execution of the law, pursuant to the facts, in the decisions that HLRB renders.

The public interest will be served by the Senate confirming Mr. Moniz to this seat on the Hawai'i Labor Relations Board.

Sanford Chun
98-1664 Hapaki Street
Aiea, Hawaii 96701

March 22, 2024

Senator Henry Aquino, Chair
Senator Sharon Moriwaki, Vice Chair &
Members of the Senate Committee
on Labor and Technology
Thirty-Second Legislature
Hawaii State Capitol, Room 224

Dear Chair Aquino, Vice-Chair Moriwaki and Members of the Senate Committee on Labor and Technology:

RE: GM 529 – Consideration and Confirmation of Stacy Moniz to the Hawaii Labor Relations Board

I am writing to express my strong support of the nomination of Stacy Moniz to the Hawaii Labor Relations Board as the labor representative.

I have had the pleasure of working with Stacy for the last 6 years at the Hawaii Government Employees' Association and believe he is an outstanding choice to serve on the Hawaii Labor Relations Board.

Stacy has been a tireless advocate for the members he has represented and all public employees. His work and advocacy on the behalf of the union has always been thorough and professional whether in the grievance meeting, arbitration hearing or before the HLRB. Stacy's knowledge of Hawaii's public sector collective bargaining law and experience working with and advocating for public employees make him well suited to represent labor on the HLRB.

Thank you for the opportunity to submit testimony in support of Stacy Moniz's nomination to the HLRB. I humbly ask for the favorable consideration of your committee for his candidacy.

Respectfully submitted,



Sanford Chun



Law Offices of Michael Jay Green, Attorney at Law

841 Bishop Street, Suite 2201
Honolulu, Hawaii 96813
Tel 808.521.3336
Fax 808.566.0347

March 21, 2024

Senate Committee on Labor and Technology
The Honorable Henry J.C. Aquino, Chair
The Honorable Sharon Y. Moriwaki, Vice Chair

Re: Confirmation of Stacy Moniz

Chair Aquino, Vice Chair Moriwaki, and Members of the Committee:

I respectfully and gladly submit my strong support for the confirmation of Stacy Moniz's appointment to the Hawaii Labor Relations Board.

I have known Stacy for decades. He worked for me as my paralegal from 2002 to 2008. He was a valuable asset to my litigation practice. He was hardworking, and dedicated to his responsibilities toward my litigation clients.

Stacy always went above and beyond his immediate responsibilities in each case. I relied on him and valued his opinions. I believe he would be a tremendous asset to the Board.

Thank you for the opportunity to submit testimony on behalf of Stacy Moniz.

Very truly yours,



MICHAEL JAY GREEN

GM-529

Submitted on: 3/24/2024 12:36:16 PM

Testimony for LBT on 3/25/2024 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Joy Bulosan	Individual	Support	Written Testimony Only

Comments:

I fully support Governor's Message 529 nominating Mr. Stacy Moniz to the Hawaii Labor Relations Board. I've had the opportunity to work with Mr. Moniz and am confident that his professional experience and knowledge and commitment to fairly and efficiently resolve labor disputes will be an asset to the HLRB. Thank you for the opportunity to share my written testimony.

The Thirty-Second Legislature, State of Hawaii
The Senate
Committee on Labor and Technology

Testimony by Jesse Sliva

GM 529 SUBMITTING FOR CONSIDERATION AND CONFIRMATION TO THE HAWAII LABOR
RELATIONS BOARD, GUBERNATORIAL NOMINEE, STACY MONIZ FOR A TERM TO EXPIRE 6-30-
2029

I strongly support the nomination of Stacy Moniz (“Mr. Moniz”) as the Labor Representative to the Hawaii Labor Relations Board (“HLRB”).

I had the pleasure of working with Mr. Moniz for five (5) years of his six (6) year tenure as the Advocacy Chief of the Hawaii Government Employees Association (“HGEA”).

Mr. Moniz is an efficient and effective communicator. He is also prepared, punctual, and professional. Finally, he is both knowledgeable and willing to share his knowledge and time with others. Accordingly, he is respected and admired among his peers.

I offer my unequivocal support and endorsement of Mr. Moniz’s nomination as the Labor Representative to the HLRB and request the favorable consideration of your committee for his candidacy.

Respectfully Submitted,



Jesse Sliva

I am writing to express my grave concerns and strong opposition to the nomination of Stacy Moniz for the Hawaii Labor Relations Board (HLRB). This letter not only serves as a plea but as a critical analysis of the implications surrounding this nomination, which was made possible by recent legislative decisions, including HB161.

The law's intent, despite being to fair the nomination process, paradoxically enables the nomination of individuals potentially unfit for this critical role—specifically, Mr. Moniz, a disbarred attorney with a felony conviction. This scenario underpins my unease: the HLRB demands unimpeachable integrity, given its role in interpreting labor laws and shaping the labor landscape of Hawaii.

Furthermore, Mr. Moniz's history of unauthorized practice of law deeply troubles me. The Hawaii Supreme Court, in *Office of Disciplinary Counsel v. Lau*, unequivocally outlined the dangers of such misconduct, noting that it "harms the legal system, the profession, and the public" while fostering "a perception of privilege and arrogance." Allowing Mr. Moniz to serve on the HLRB, where he would effectively interpret and enforce labor laws, could be viewed as an extension of this unauthorized practice—this time, under the state's endorsement.

The Supreme Court's position is that even if an agency allows for non-licensed people to represent others, it is not appropriate for a disbarred lawyer to do so.

Additionally, Mr. Moniz's longstanding affiliation with the HGEA introduces undeniable due process concerns. His role on the HLRB, where he would adjudicate cases involving his former employer, starkly conflicts with the principles of fairness and impartiality. It's hard not to see this as a direct threat to the constitutional rights of those appearing before the board.

I am also compelled to address the broader legislative context. Your vote to pass HB161, except for Senator Ihara, removed critical checks from the nomination process, was prescient. This act has directly facilitated the current situation, undermining the governor's vetting role and placing undue power in the hands of unions. While unions play an essential role in our democracy, this imbalance could lead to nominations based more on political favoritism than on qualifications and integrity.

In light of these factors—the potential for unauthorized practice of law, due process violations, and the questionable circumstances surrounding his nomination—I strongly urge you to oppose Mr. Moniz's confirmation. Our state deserves HLRB members who are not only legally qualified but also free from conflicts of interest and capable of upholding the highest ethical standards.

Thank you for your time and consideration. I trust that you will approach this matter with the seriousness it warrants, reflecting on the long-term impacts on our state's labor force and legal integrity.

With respect and Aloha,

Sarah Hsiao

References:

Haw. R. Prof. Cond. 5.5 (“A lawyer shall not:**(a)** practice law in a jurisdiction where doing so violates the regulation of the legal profession in that jurisdiction; or**(b)** assist a person who is not a member of the bar in the performance of activity that constitutes the unauthorized practice of law; or**(c)** allow any person who has been suspended or disbarred and who maintains a presence in an office where the practice of law is conducted by the lawyer to have any contact with the clients of the lawyer either in person, by telephone, or in writing or to have any contact with persons who have legal dealings with the office either in person, by telephone, or in writing.”)

Haw. R. Prof. Cond. 5.5 (“[4] Paragraph (c) prohibits an attorney who employs or otherwise utilizes a lawyer who is suspended or disbarred, or who resigned in lieu of discipline, from allowing that lawyer to have any contact with the attorney's clients or others who have legal dealing with the attorney's office. In order to protect the public, strict prohibitions are essential to prevent permissible paralegal activities from crossing the line to giving legal advice, taking fees, or misleading clients and others who deal with the attorney's office.”)

Haw. R. Sup. Ct. 2.14 (“(d) Resignation in lieu of discipline is a disbarment for all purposes under these rules, including reinstatement.”)

Haw. Rev. Stat. § 605-14 (“It shall be unlawful for any person, firm, association, or corporation to engage in or attempt to engage in or to offer to engage in the practice of law, or to do or attempt to do or offer to do any act constituting the practice of law, except and to the extent that the person, firm, or association is licensed or authorized so to do by an appropriate court, agency, or office or by a statute of the State or of the United States. Nothing in sections 605-14 to 605-17 contained shall be construed to prohibit the preparation or use by any party to a transaction of any legal or business form or document used in the transaction.”)

EDUCATION

William S. Richardson School of Law, University of Hawai'i Honolulu, Hawai'i
Juris Doctorate

Chaminade University Honolulu, Hawai'i
Bachelor of Arts in Political Science
Graduated with Honors

HIGHLIGHTS DENOTES OBJECTIVE EVIDENCE OF

WORK EXPERIENCE UNAUTHORIZED PRACTICE OF LAW

Hawai'i Government Employees Association (HGEA) Honolulu, Hawai'i
Advocacy Chief 2017 – Present

- Appear numerous times before the Hawai'i Labor Relations Board, representing individuals and classes in various labor disputes
- Act as primary representative for HGEA members in labor arbitrations and selected grievances
- Dedicated to BU 08 Educational Officers and BU 09 Registered Nurses at Hawai'i State Hospital
- Participate in labor negotiations to advocate for HGEA member benefits, including negotiating MOU's and other site agreements
- Supervise and manage employees and staff to help them develop professionally
- Provide training to employees and staff regarding all issues pertaining to labor relations
- Participate in classification and compensation administration, including the recruitment and selection of employees
- Serve as Interest Arbitration Panel member for BU 14 Law Enforcement & Ocean Safety Officers and BU 16 Ocean Safety Officers

Hawai'i Labor Relations Board Honolulu, Hawai'i
Arbitrator 2015 – Present

- Accepted by the Hawai'i Labor Relations Board as an arbitrator for all matters concerning public sector unions.

South Pac Holdings, LLC Honolulu, Hawai'i
Member/Manager 2007 – Present

- Consult for business entities and individuals
- Participate in negotiations

Hui O He'e Nalu Inc. Honolulu, Hawai'i
Vice President and Board of Director 2014 – Present

- Manage 501(c)(3) non-profit organization
- Promote surfing in all forms and Hawaiian education and culture
- Assist in negotiation, coordination, and management of several events

Law Office of Gary M. Levitt Honolulu, Hawai'i
Paralegal/Consultant 2002 – Present

- Consult regarding ongoing business issues
- Prepare requests and conduct research

A disbarred attorney cannot represent a party even if the rules allow for nonlawyers to do so.

Office of Disciplinary Counsel v. Gould, 119 Haw. 265, 268-69 (Haw. 2008) ("4. ODC 8549: DLIR/Gwendolyn Johnson

On March 8, 2006, Gould advised the DLIR that he represented Gwendolyn Johnson and sought a hearing to determine whether Johnson was entitled to medical care. The letter contained no academic degree designations. Via letter dated March 9, 2006, the DLIR director asked Disciplinary Counsel, "Is a suspended attorney allowed to represent claimants?" Johnson also applied for a hearing and noted her "attorney, Burton Gould, will be present." In response to ODC's inquiry, Gould asserted that one could "act as an agent and not do any act that constitutes the practice of law," but that he had "decided not to act as an agent for anyone at the Department of Labor." In a letter dated March 16, 2006, Special Assistant Disciplinary Counsel Alvin Ito advised Gould it was improper for Gould "to represent an individual in a workers' compensation hearing, or to perform any acts that constitute the practice of

law." In an undated letter from Gould to attorney Robert Chong (presumably, employer's attorney), Gould essentially indicated he was "aiding" Johnson, but "not representing her," and expressed a willingness to convey "a fair offer." Chong declined to communicate with Gould. By letter dated April 8, 2008, ODC informed Gould that his letter to the DLIR violated HRPC 3.4(e) ("knowingly disobey[ing] an obligation under rules of a tribunal"), HRPC 5.5(a) ("practic[ing] law in a jurisdiction where doing so violates the regulation of the legal profession"), and HRPC 8.4(a) (violating the rules of professional conduct) and imposed an informal admonition.")

"Practice of Law" Entails much more than just signing papers

Fought Co., v. Steel Engineering, 87 Haw. 37, 46 (Haw. 1998) ("Our holdings in Lau and the other cases cited above are not incompatible with the proposition that the "practice of law" entails far more than merely appearing in court proceedings. Moreover, other jurisdictions, in seeking to define the "practice of law," have reached a similar conclusion. The California Supreme Court, for example, has expressed the position that, for the purposes of that state's statute restricting the practice of law to "active member[s] of the State Bar," such practice includes "'the doing and performing [of] services in a court of justice in any matter depending therein throughout its various stages and in conformity with the adopted rules of procedure,' [the rendering of] legal advice[,] and legal instrument and contract preparation[.]" Birbrower, Montalbano, Condon Frank, P.C. v. Superior Court of Santa Clara County, 17 Cal.4th 119, 70 Cal.Rptr.2d 304, 308, 949 P.2d 1, 5 (1998) (quoting People ex rel. Lawyers' Institute of San Diego v. Merchants Protective Corp., 189 Cal. 531, 209 P. 363 (1922)).")

Years of Disrespect for the law is disqualifying

OFFICE OF DISCIPLINARY COUNSEL v. LAU, 79 Haw. 201, 207 (Haw. 1995) (" For purposes of ABA Standard 8.2, practicing law while suspended is a "further act of misconduct." At a bare minimum, such violations and acts of misconduct harm the legal system, the profession, and the public by encouraging disrespect for the law and the courts and reinforce a perception of privilege and arrogance. ")

Due Process – Conflict of Interest violates due process

Withrow v. Larkin, 421 U.S. 35, 46-47 (1975) ("Concededly, a "fair trial in a fair tribunal is a basic requirement of due process." *In re Murchison*, 349 U.S. 133, 136 (1955). This applies to administrative agencies which adjudicate as well as to courts. *Gibson v. Berryhill*, 411 U.S. 564, 579 (1973). Not only is a biased decisionmaker constitutionally unacceptable but "our system of law has always endeavored to prevent even the probability of unfairness." *In re Murchison*, *supra*, at 136; cf. *Tumey v. Ohio*, 273 U.S.

510, 532 (1927). In pursuit of this end, various situations have been identified in which experience teaches that the probability of actual bias on the part of the judge or decisionmaker is too high to be constitutionally tolerable.”)



IATSE Local 665
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OF THE UNITED STATES, ITS TERRITORIES AND CANADA, AFL-CIO, CLC**

March 24, 2024

The Thirty-Second Legislature, State of Hawai'i
Hawai'i State Senate
Committee on Labor and Technology (LBT)



HEARING DATE, TIME AND ROOM: Mon., 03/25/24 at 3:00 PM – ROOM 224

RE: GM 529 – HI Labor Relations Board, Gubernatorial Nominee, Stacy Moniz

Aloha, Chair Henry J. C. Aquino, Vice Chair Sharon Y. Moriwaki and Committee Members:

We are writing in **support** of Governor Green's nominee, Stacy Moniz, to the Labor Relations Board. Our local represents over 800 members who work in the entertainment industry across all Hawaiian Islands.

Brother Moniz has extensive experience as an arbitrator and would be an asset to the board. Please appoint him to serve on the HI Labor Relations Board.

Respectfully,

Irish Barber
Business Representative

LATE

GM-529

Submitted on: 3/25/2024 8:28:47 AM

Testimony for LBT on 3/25/2024 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jermeljervonta Anderson	Individual	Support	Written Testimony Only

Comments:

I would like to provide my Strong Support of consideration and confirmation of Stacy Moniz to the Hawaii Labor Relations Board. Stacy has been a long time advocate for Unions and employees rights. He has dedicated a life of service to ensuring that people get fair and equal treatment under the law. This undoubtedly will carry over to his position under the HLRB. He is able to work with many people from all sectors and all walks of life. This shows his ability to be unbiased and hold the honor and objectivity that this position requires. He is a true advocate and strong presence in the Labor Community. Added with his legal background and knowledge there is no one else more qualified to hold this seat than him. I strongly support and hope you confirm Stacy Moniz to the Hawaii Labor Relations Board.

LATE

Testimony Presented Before the
Senate Committee on Labor and Technology
The Honorable Henry J.C. Aquino, Chair
The Honorable Sharon Y. Moriwaki, Vice Chair

and Videoconference Monday, March 25, 2024 at 3:00 p.m.
[Conference Room 224, State Capitol

by John Neff, retired businessman

Governor's Message No. 529
Submitting for Consideration and Confirmation to the Hawaii Labor Relations Board,
Gubernatorial Nominee, STACY MONIZ, for a term to expire 06-30-2029

Chair Aquino, Vice Chair Moriwaki, and Members of the Committee:

I am writing in strong support of Stacy Moniz's confirmation to the Hawaii Labor Relations Board.

I believe Mr. Moniz is very well qualified for this position. I have known him for over 20 years and can vouch for his integrity and his ability to make thoughtful, thorough and tough but fair decisions. He has a positive attitude and is a man of faith.

Thank you for the opportunity to provide testimony in strong support of Governor's Message No. 529 and the confirmation of Stacy Moniz to the Hawaii Labor Relations Board.

Respectfully,
John Neff