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February 22, 2024
9:46 a.m.
State Capitol, Conference Room 211

S.B. 3362, S.D. 1
RELATING TO PUBLIC SERVICE

Senate Committee on Judiciary and Senate Committee on Ways and Means

The Department of Transportation (DOT) **supports S.B. 3362, S.D. 1**, which authorizes the temporary assignment of permanent legislative staff during the interim to executive or judicial branch agencies. Establishes that while on temporary assignment, the temporarily assigned employee is still considered an employee of the Legislature and exempt from civil service.

The DOT is interested in opportunities to enhance the workforce both in private and public employment. For example, for private employment, DOT Federal aid projects include requirements for on-the-job training by private contractors. State projects with estimates over \$250,000 include provisions for bid preference for private construction firms that are parties to apprenticeship agreements. Both provide for training with the intent for the apprentice to reach the journeyman level.

In 2021, the new Project Manager Class was created, and the DOT redescribed existing vacant positions to project managers. Managing construction projects as well as non-construction projects allows the DOT to bring in a more flexible workforce and bridges the gap with engineer vacancies.

This proposed bill appears to authorize the temporary assignment of an exempt position to the legislative staffer at the executive or judicial branch where the legislative staffer has the option to either stay with the executive or judicial branch agency or to return to the legislature. For the DOT, the sharing of staff in this way provides for a breadth of experience and knowledge to benefit not only the legislative staffer, but the DOT as well.

By learning the operational work of the executive or judicial branch agency and returning to the legislature knowing this work firsthand would be invaluable to the legislature should the staffer return.

The DOT acknowledges that the merit principle is the cornerstone of civil service principles, yet solutions for flexibility in recruitment and having attractive options for retention and opportunities for career advancement are needed.

Thank you for the opportunity to provide testimony.



HAWAII GOVERNMENT EMPLOYEES ASSOCIATION
AFSCME Local 152, AFL-CIO

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The Thirty-Second Legislature, State of Hawaii
The Senate
Committee on Judiciary
Committee on Ways and Means

Testimony by
Hawaii Government Employees Association

February 22, 2024

S.B. 3362, S.D. 1 — RELATING TO PUBLIC SERVICE.

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO opposes the concept of S.B. 3362, S.D. 1 which authorizes the temporary assignment of permanent legislative staff during the interim to executive or judicial branch agencies and establishes that while on temporary assignment, the temporarily assigned employee is still considered an employee of the Legislature and exempt from civil service.

Our organization raises questions about the purpose and intent of this measure – why would legislative staff be temporarily assigned to the executive or judicial branch when the legislature is not in session? If this is to supplement the executive or judicial branch workforce shortage, then we appreciate this measure's intention. However, this is only a band-aid fix because it would only provide temporary relief for the executive or judicial branch since legislative employees must return to the legislature prior to the start of session. We also fear that this may increase workload for the already overworked state workforce because this may require them to take time away from their normal duties to train legislative employees even though they may only be working for a few months. Instead, the state should adopt policies that is focused on investing in their workforce – providing competitive pay and benefits and reducing the hiring time is crucial to reduce the state's workforce shortage. Additionally, the Legislature is overstepping their authority. The State executive and judicial branch solely has the right and authority to hire, promote, transfer, and assign their employees.

Thank you for the opportunity to testify in opposition to S.B. 3362, S.D. 1.

Respectfully submitted,

Randy Perreira
Executive Director