



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

February 8, 2024

To: The Honorable Mark M. Nakashima, Chair,
The Honorable Jackson D. Sayama, Vice Chair, and
Members of the House Committee on Consumer Protection & Commerce

Date: Thursday, February 8, 2024
Time: 2:00 p.m.
Place: Conference Room 329, State Capitol

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

Re: H.B. 1673 H.D.1 RELATING TO WORKERS' COMPENSATION

I. OVERVIEW OF PROPOSED LEGISLATION

The DLIR **supports this proposal**. HB1673 HD1 amends Section 386-21.9, Hawaii Revised Statutes (HRS), to improve access for comprehensive medical coverage specifically for solid waste workers with five or more years of service with significant, regular exposure to trash and who suffer from cancer for specific organs, when their claim is accepted or determined to be compensable.

II. CURRENT LAW

Section 386-21.9, HRS establishes medical care, services, and supplies for firefighters suffering from cancer. If a claim for leukemia, multiple myeloma, non-Hodgkin Lymphoma, or cancer of the lung, brain, stomach, esophagus, intestines, rectum, kidney, bladder, prostate, or testes filed by an employee with five or more years of service as a firefighter is accepted or determined to be compensable.

Section 386-21 (a), HRS, states that immediately after a work injury is sustained by an employee and for so long as reasonably needed, the employer shall furnish to the employee all medical care, services and supplies as the nature of the injury requires.

III. COMMENTS ON THE HOUSE BILL

The DLIR supports this measure to ensure that solid waste workers with five or more years of service with significant exposure to trash and suffering from cancer for specific organs receive proper and timely medical treatment.



UNITED PUBLIC WORKERS

AFSCME Local 646, AFL-CIO

**HOUSE OF REPRESENTATIVES
THE THIRTY-SECOND LEGISLATURE
REGULAR SESSION OF 2024**

COMMITTEE ON CONSUMER PROTECTION & COMMERCE

Rep. Mark M. Nakashima, Chair
Rep. Jackson D. Sayama, Vice Chair

Thursday, February 8, 2024, 2:00 PM
Conference Room 329 & Videoconference

Re: Testimony on HB1673, HD1 – RELATING TO WORKERS’ COMPENSATION

Chair Nakashima, Vice Chair Sayama, 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 supports HB1673, HD1, which requires employers to be liable for medical care, services, and supplies when a worker's compensation claim filed by a solid waste worker suffering from cancer is accepted.

UPW represents the county employees of Bargaining Unit 1 who are assigned to refuse collection and disposal. This includes, but is not limited to, refuse collectors, refuse collection equipment operators, transfer station equipment operators, refuse facilities maintenance mechanics, and refuse collection crew leaders. From the definition of “solid waste worker” contained in this bill, we believe that nearly all of our members who work in refuse collection and disposal would be eligible for cancer-related medical coverage if they meet the service time criteria of five years.

These hard-working public employees are constantly exposed to variety materials that, unbeknownst to them, may result in life-altering or long-term health issues. It is critical that employers cover cancer-related medical costs that may have resulted from these employees being exposed to harmful materials during their years of dedicated service.

Mahalo for the opportunity to testify on this measure.

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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