

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

SYLVIA LUKE
LT. GOVERNOR
KA HOPE KIA'ĀINA



BRENN A H. HASHIMOTO
DIRECTOR
KA LUNA HO'OKELE

RYAN YAMANE
DEPUTY DIRECTOR
KA HOPE LUNA HO'OKELE

STATE OF HAWAII | KA MOKU'ĀINA O HAWAII
DEPARTMENT OF HUMAN RESOURCES DEVELOPMENT
KA 'OIHANA HO'OMŌHALA LIMAHANA
235 S. BERETANIA STREET
HONOLULU, HAWAII 96813-2437

Statement of
BRENN A H. HASHIMOTO
Director, Department of Human Resources Development

Before the
HOUSE COMMITTEE ON LABOR & GOVERNMENT OPERATIONS
Friday, February 2, 2024
9:30AM
State Capitol, Conference Room 309

In consideration of
HB 2597, RELATING TO COLLECTIVE BARGAINING

Chair Matayoshi, Vice Chair Garrett, and the members of the committee.

The Department of Human Resources Development (DHRD) appreciates the intent of HB 2597 which transfers the investigators of the criminal investigation division, narcotics enforcement division, office of homeland security division, office of the inspector general division, and sheriff division of the department of law enforcement who are subject to the law enforcement standards of chapter 139, Hawai'i Revised Statutes, from bargaining unit (13) into bargaining unit (14). However, we must respectfully oppose this measure.

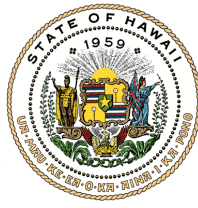
DHRD is concerned for the following reasons:

1. The Hawai'i Labor Relations Board, pursuant to HRS §89-6 (g), investigates and makes final determinations on appropriate bargaining units as it applies to specific individuals, employees, or positions.
2. HRS §89-6 (c) provides for the classification systems of each jurisdiction to be the bases for determining the appropriate bargaining unit to which employees are categorized. Thus, based on the State Executive Branch's classification system, it was determined that investigators were appropriately placed in bargaining unit (13), professional and scientific, due to the nature of work.
3. Investigator positions are located in other departments, in addition to the Department of Law Enforcement. Mandating the bargaining unit change will result in investigator positions in both bargaining unit (13) and bargaining unit (14), creating pay and benefit disparities violating civil service merit principles.

4. If the nature of work has changed, departments can request a review of the existing class of work to determine proper placement of the class in an appropriate bargaining unit as provided for in HRS §89-6.

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

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



JORDAN LOWE
DIRECTOR

MICHAEL VINCENT
Deputy Director
Administration

JARED K. REDULLA
Deputy Director
Law Enforcement

SYLVIA LUKE
LT GOVERNOR
KE KE'ENA

STATE OF HAWAII | KA MOKU'ĀINA O HAWAII
DEPARTMENT OF LAW ENFORCEMENT

Ka 'Oihana Ho'okō Kānāwai

715 South King Street
Honolulu, Hawaii 96813

TESTIMONY ON HOUSE BILL 2597
RELATING TO COLLECTIVE BARGAINING
Before the House Committee on Labor & Government Operations
Friday, February 2, 2024; 9:30 a.m.
State Capitol Conference Room 309, Via Videoconference
Testifiers: Michael Vincent or Jared Redulla

Chair Matayoshi, Vice Chair Garrett, and members of the Committee:

The Department of Law Enforcement (DLE) **strongly supports** House Bill 2597.

This bill transfers the investigators of the Criminal Investigation Division, Narcotics Enforcement Division, Office of Homeland Security Division, Office of the Inspector General Division, and Sheriff Division of the Department of Law Enforcement who are subject to the statutory law enforcement standards for the state law enforcement officers from Collective Bargaining Unit 13 (BU-13) into Collective Bargaining Unit 14 (BU-14).

This bill is needed to address authorities and inequities that currently exist between the two Collective Bargaining Units.

Various state agencies have investigators who perform a wide range of investigative services, but not all of them perform the functions and have the authorities of state law enforcement officers. The investigators of the Criminal Investigations Division, the Narcotics Enforcement Division, the Office of Homeland Security, the Office of Inspector General, and the Sheriff's Division of the DLE are given additional powers, authority, benefits, and privileges of a police officer or of a deputy sheriff, including the power of arrest. They also have greater duties and responsibilities in their

investigative work. This bill seeks to include these investigators in the appropriate collective bargaining unit with all state law enforcement officers.

Despite the responsibilities and legal authorities conferred on these investigators, those in BU-13 are paid considerably less than those in BU-14. For a deputy sheriff to take a position as an investigator or detective in one of the investigative units of the DLE, they typically will need to take a reduction in salary. By moving the current BU-13 investigators to BU-14, salary equity will occur.

Correcting the salary inequities is also one of the issues that must be addressed for the DLE to provide career path options and opportunities to its officers. Career path options are essential to recruitment and retention within the Department.

Thank you for the opportunity to testify in support of this bill.



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
House of Representatives
Committee on Labor & Government Operations

Testimony by
Hawaii Government Employees Association

February 2, 2024

H.B. 2597 – RELATING TO COLLECTIVE BARGAINING

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO opposes the purpose and intent of H.B.2597, which transfers the investigators of the Criminal Investigation Division, Narcotics Enforcement Division, Office of Homeland Security Division, Office of the Inspector General Division, and Sheriff Division of the Department of Law Enforcement from bargaining unit 13 into bargaining unit 14.

In accordance with Hawaii Revised Statutes, Chapter 89-5 (i), (1), the Hawaii Labor Relations Board (HLRB) has the authority to **“Establish procedures for, investigate, and resolve any dispute concerning the designation of an appropriate bargaining unit and the application of section 89-6 to specific employees and positions.”** Therefore, the Legislature is not the appropriate body to determine and transfer job classification for one bargaining unit to another. This authority rest with the Hawaii Labor Relations Board.

Thank you for the opportunity to testify in opposition of H.B.2597.

Respectfully submitted,

Randy Perreira
Executive Director

HB-2597

Submitted on: 2/1/2024 10:39:48 AM

Testimony for LGO on 2/2/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Alan Urasaki	Individual	Comments	Written Testimony Only

Comments:

While I support the intent of this measure, I would ask the legislature to change the law to give all state law enforcement officers (deputy sheriffs) the 25 year service retirement, not the current 30 years. Thank you for your consideration on this matter. Mahalo.