

JOSH GREEN, M.D.
GOVERNOR



MARK PATTERSON
CHAIR

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OVERSIGHT COORDINATOR

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HON. R. MARK BROWNING (ret.)

HON. RONALD IBARRA (ret.)

MARTHA TORNEY

HON. MICHAEL A. TOWN (ret.)

STATE OF HAWAII
HAWAII CORRECTIONAL SYSTEM OVERSIGHT COMMISSION
E HUIKALA A MA'EMA'E NŌ
235 S. Beretania Street, 16th Floor
HONOLULU, HAWAII 96813
(808) 587-4160

TO: The Honorable Jackson D. Sayama, Chair
The Honorable Mike Lee, Vice Chair
House Committee on Labor

FROM: Mark Patterson, Chair
Hawaii Correctional System Oversight Commission

SUBJECT: House Bill 69 Relating to a Compensatory Time Cash-Out Pilot Program
Hearing: Tuesday, January 28, 2025; 9:00 a.m.
State Capitol, Room 309

Chair Sayama, Vice Chair Lee, and Members of the Committee:

The Hawaii Correctional System Oversight Commission (HCSOC) **supports** House Bill 69, Relating to a Compensatory Time Cash-Out Pilot Program, which will establish and appropriate funds for a compensatory time cash-out pilot program for the Department of Corrections and Rehabilitation employees who work in any state correctional facility.

The Commission recently published findings from a statewide survey on corrections staff which highlighted urgent challenges facing correctional staff across Hawaii's facilities, from health risks and inadequate workplace resources to systemic issues around leadership, communication, and wellness support. The report underscores the importance of addressing these issues to build a more sustainable and positive environment for both staff and the incarcerated population.

Correctional staff play a pivotal role in promoting public safety and supporting rehabilitation efforts, yet they face considerable barriers that undermine their ability to perform their duties effectively. Chronic staffing shortages, mandatory overtime, insufficient health resources, and workplace stress have created an unsustainable environment that threatens staff retention and recruitment, further compounding these issues. The intent of this bill is to incentivize good attendance, improve the overall functionality of the State's correctional facilities, encourage workers to report to work, and reduce overall worker burnout.

The Commission remains committed to advocating for these essential changes to uphold the safety, health, and dignity of all individuals within Hawaii's correctional system. For these reasons, the Commission supports House Bill 69 and defers to members from United Public Workers (UPW) for any requested amendments.

Should you have additional questions, the Oversight Coordinator, Christin Johnson, can be reached at 808-900-2200 or at christin.m.johnson@hawaii.gov. Thank you for the opportunity to testify.

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII
**DEPARTMENT OF CORRECTIONS
AND REHABILITATION**
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Programs

No. _____

TESTIMONY ON HOUSE BILL 69
RELATING TO THE COMPENSATORY TIME CASH-OUT PILOT PROGRAM.

by
Tommy Johnson, Director
Department of Corrections and Rehabilitation

House Committee on Labor
Representative Jackson D. Sayama, Chair
Representative Mike Lee, Vice Chair

Tuesday, January 28, 2025; 9:00 a.m.
State Capitol, VIA VIDEOCONFERENCE, Conference Room 309

Chair Sayama, Vice Chair Lee, and Members of the Committee:

The Department of Corrections and Rehabilitation (DCR) opposes House Bill (HB) 69, which proposes to establish a Compensatory Time Cash-Out Pilot Program for eligible employees of the DCR who work in any state correctional facility and appropriate funds for the program. While DCR appreciates staff who work beyond their regular eight-hour shift, a pilot-program to allow them to cash-out compensatory time cannot be supported by the DCR for several reasons.

First, the DCR cannot support a pilot program at this time because it is not part of the executive budget. We appreciate the intent of this proposal, but cannot support an initiative that does not align with the administration's priorities as outlined in the Governor's executive budget.

Further, the DCR believes this pilot program is not necessary because DCR already offers compensatory time payouts to eligible staff. The existing practice allows DCR the discretion to manage cash payouts for compensatory time to ensure we have the resources to provide these payouts to eligible staff.

Thank you for the opportunity to testify on HB 69.



UNITED PUBLIC WORKERS

AFSCME Local 646, AFL-CIO

**HOUSE OF REPRESENTATIVES
THE THIRTY-THIRD LEGISLATURE
REGULAR SESSION OF 2025**

COMMITTEE ON LABOR
Rep. Jackson D. Sayama, Chair
Rep. Mike Lee, Vice Chair

Tuesday, January 28, 2024, 9:00 AM
Conference Room 309 & Videoconference

Re: Testimony on HB69 – RELATING TO A COMPENSATORY TIME CASH-OUT PILOT PROGRAM

Chair Sayama, Vice Chair Lee, 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 HB1945, establishes a Compensatory Time Cash-Out Pilot Program for eligible employees of the Department of Corrections and Rehabilitation (“DCR”) who work in any state correctional facility

While most State departments are grappling with how to attract new employees to fill the numerous departmental vacancies, DCR correctional facilities are worksites dealing with a large number of “call outs” that result in short staffing for daily operations. UPW believes this bill will help with the retention of the senior workforce and help to incentivize scheduled attendance while significantly decreasing absenteeism.

Due to severe staffing shortages, many employees are being required to remain on duty and are required to work a significant number of overtime (“OT”) shifts. Generally, compensatory time off (“comp time”), unlike vacation or sick leave, can be accrued a lot faster when an employee chooses to receive comp time in lieu of compensation for OT. However, use of “comp time” is the most difficult to get approval for.

The pilot program proposed in this bill is similar to a concept that UPW proposed to DCR in 2023 during a series of meetings between the union and the department. The concept we offered to the department would allow eligible corrections employees to cash out 25% of the comp time earned if they do not exceed a mutually agreed upon number of absences during each annual quarter. Even if an employee had exceeded the prescribed number of absences allowed during a three-month period, they could still qualify for leave cash-out during a subsequent three-month period. Under this concept, an employee could cash-out up to 75% of their earned comp time if they met the criteria established by the

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union and the employer. Nothing came of this concept until the department recently requested that UPW draft a Memorandum of Understanding detailing the proposed concept. While we respectfully declined in our response, we did provide DCR with the details we previously submitted.

While it appears that there may be an opportunity to establish this program without legislation, we humbly request the committee pass this measure to allow for continued discussion.

Mahalo for this opportunity to testify in support of this measure.

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The Thirty-Second Legislature
House of Representatives
Committee on Labor

Testimony by
Hawaii State AFL-CIO

January 28, 2025

TESTIMONY IN SUPPORT OF HB69 - RELATING TO A COMPENSATORY TIME CASH-OUT PILOT PROGRAM

Chair Sayama, Vice Chair Lee, and members of the committee:

The Hawaii State AFL-CIO is a state federation of 74 affiliate labor organizations representing over 68,000 union members across Hawaii in industries including healthcare, construction, hospitality, entertainment, transportation, and government. The AFL-CIO serves its affiliates by advocating for the rights of working families, promoting fair wages, ensuring safe working conditions, and supporting policies that strengthen Hawaii's workforce.

We support HB69, which establishes a Compensatory Time Cash-Out Pilot Program for employees of the Department of Corrections and Rehabilitation working in state correctional facilities.

Staffing shortages and mandatory overtime have created unsustainable workloads, leaving employees overworked and exhausted. In most situations, these employees are unable to use their accrued compensatory time as leave due to critical staffing levels. Allowing employees to cash out compensatory time provides financial relief without adding strain to already overburdened schedules or further depleting staff availability.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Randy Perreira".

Randy Perreira
President



HAWAII GOVERNMENT EMPLOYEES ASSOCIATION
AFSCME Local 152, AFL-CIO

RANDY PERREIRA, Executive Director • Tel: 808.543.0011 • Fax: 808.528.0922

The Thirty-Third Legislature, State of Hawaii
The House of Representatives
Committee on Labor

Testimony by
Hawaii Government Employees Association

January 28, 2025

H.B.69 — RELATING TO A COMPENSATORY TIME CASH-OUT PILOT PROGRAM

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO supports the intent of H.B. 69, which establishes a Compensatory Time Cash-Out Pilot Program for eligible employees of the Department of Corrections and Rehabilitation who work in any state correctional facility.

The HGEA represents many employees across several bargaining units, including registered nurses, office clerks, and social workers, among others, within the State Correctional Facilities. Many of these employees are subjected to low staffing which has led to unsafe working conditions, worker burnout, and low morale. We appreciate the intent of this proposed measure as it aims to stand-up an optional program which may increase employee morale and attendance and will help with the retention of employees by providing an additional financial incentive.

This measure goes to the larger issue which is that the state needs to invest in its current and future workforce – increasing the position pay and offering modern and attractive recruitment and retention incentives, along with decreasing the hiring time is paramount. In certain offices, employees must do the jobs of two or three positions due to the vacancy rates which has led to worker burnout and low morale. There have been far too many examples of when the quality and quantity of state services have decreased because of the lack of investment and change – the services that are provided within our state prisons is just one of many examples.

Thank you for the opportunity to provide testimony in strong support of H.B. 69.

Respectfully submitted,



Randy Perreira
Executive Director