

JOSH GREEN, M. D.
GOVERNOR

SYLVIA LUKE
LT. GOVERNOR



WILBERT S. HOLCK
CHIEF NEGOTIATOR

STATE OF HAWAII
OFFICE OF COLLECTIVE BARGAINING
EXECUTIVE OFFICE OF THE GOVERNOR
235 S. BERETANIA STREET, SUITE 1201
HONOLULU, HAWAII 96813-2437

Statement of
WILBERT S. HOLCK
Chief Negotiator, Office of Collective Bargaining

Before the
**SENATE COMMITTEE ON PUBLIC SAFETY AND INTERGOVERNMENTAL
AND MILITARY AFFAIRS**

and the
SENATE COMMITTEE ON LABOR AND TECHNOLOGY

Friday, March 15, 2024

3:00 p.m.

State Capitol, Conference Room 225

In consideration of
HB 1530, HD1, Relating to Fire Protection

Chairs Wakai and Aquino, Vice-Chairs Elefante and Moriwaki and the members of the committees:

The Office of Collective Bargaining (OCB) respectfully opposes HB 1530 HD1, which requires that an employer of firefighters maintains its fire staffing services at a level of no less than four on-duty firefighters in each company for collective bargaining agreement or executive policy in effect on and after July 1, 2025.

OCB believes that this bill addresses management rights and is therefore in conflict with Chapter 89, HRS, which excludes operational matters, such as this from collective bargaining. Also, in the Unit 11, Collective Bargaining Agreement, Section 4. Management Rights contains the following:

“The employer reserves and retains, solely and exclusively, all rights, authority and prerogatives, including the rights of management to manage, control and direct its Employees and operations except as specifically abridged or modified by this Agreement.”

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

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
830 PUNCHBOWL STREET, ROOM 321
HONOLULU, HAWAII 96813
www.labor.hawaii.gov

March 13, 2024

The Honorable Glenn Wakai, Chair
Committee on Public Safety & Intergovernmental & Military Affairs
The State Senate
State Capitol, Room 407
Honolulu, Hawaii 96813

The Honorable Henry Aquino, Chair
Committee on Labor & Technology
The State Senate
State Capitol, Room 204
Honolulu, Hawaii 96813

Dear Chairs Wakai and Aquino:

Subject: House Bill (HB) 1530, House Draft (HD) 1 Relating to Fire Protection

I am Kazuo Todd, Chair of the State Fire Council (SFC). The SFC supports the intent of HB1530, HD1, which specifies for a collective bargaining agreement or executive policy in effect on and after 7/1/2025, requires that an employer of firefighters maintains its fire staffing service at a level of no less than four on-duty firefighters in each company. The SFC offers comments regarding HB1530, HD1.

The SFC believes HB1530, HD1, presents substantial fiscal and resource challenges to Hawaii fire departments due to:

- a. Maintenance of the staffing requirement will substantially increase overtime. Some fire departments currently exceed their budgeted overtime allocation on a regular basis.

The Honorable Glenn Wakai, Chair
The Honorable Henry Aquino, Chair
Page 2
March 13, 2024

- b. Current and projected vacancy rates experienced by fire departments across the State. The number of current positions allocated to those fire departments may not allow staffing compliance with HB1530, HD1.
- c. The existing hiring processes to fill vacancies and acquire additional fire department positions are months, and in some cases years long.
- d. The training process for newly hired firefighters can take up to ten months. Training for new firefighters also requires months of planning and preparation. Training infrastructure for new firefighters in terms of personnel, equipment, and facilities are significant for all fire departments in Hawaii.

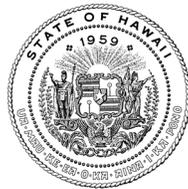
Should you have questions, please contact SFC Administrative Specialist Gary Lum at 723-7169 or glum@honolulu.gov.

Sincerely,



KAZUO TODD
Chair

KT/GL:cs



JOSH GREEN, M.D.
GOVERNOR

SYLVIA LUKE
LIEUTENANT GOVERNOR

EMPLOYEES' RETIREMENT SYSTEM
HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND
OFFICE OF THE PUBLIC DEFENDER

LUIS P. SALAVERIA
DIRECTOR

SABRINA NASIR
DEPUTY DIRECTOR

STATE OF HAWAII
DEPARTMENT OF BUDGET AND FINANCE
Ka 'Oihana Mālama Mo'ohelu a Kālā
P.O. BOX 150
HONOLULU, HAWAII 96810-0150

ADMINISTRATIVE AND RESEARCH OFFICE
BUDGET, PROGRAM PLANNING AND MANAGEMENT DIVISION
FINANCIAL ADMINISTRATION DIVISION
OFFICE OF FEDERAL AWARDS MANAGEMENT

WRITTEN ONLY

TESTIMONY BY LUIS P. SALAVERIA
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE
TO THE SENATE COMMITTEES ON LABOR AND TECHNOLOGY AND PUBLIC
SAFETY AND INTERGOVERNMENTAL AND MILITARY AFFAIRS
ON
HOUSE BILL NO. 1530, H.D. 1

March 15, 2024
3:00 p.m.
Room 225 and Videoconference

RELATING TO FIRE PROTECTION

The Department of Budget and Finance (B&F) offers comments on this bill.

House Bill No. 1530, H.D. 1, amends Chapter 89, HRS, by adding a new section specifying for a collective bargaining (CB) agreement or executive policy in effect on or after July 1, 2025, that an employer of firefighters shall maintain its fire service staffing at a level of no less than four on-duty firefighters in each company.

While B&F appreciates the concerns that brought about this bill, B&F believes CB is not the appropriate vehicle to address these concerns. Chapter 89 clearly excludes operational matters, such as this from CB. Rather than diminishing management rights that may interfere with the ability of public employers to direct its workforce, B&F recommends other avenues be found to address these concerns.

Thank you for your consideration of our comments.

RICHARD T. BISSEN, JR.
Mayor

JOSIAH K. NISHITA
Managing Director

BRADFORD K. VENTURA
Fire Chief

GAVIN L.M. FUJIOKA
Deputy Fire Chief



DEPARTMENT OF FIRE & PUBLIC SAFETY
COUNTY OF MAUI
200 DAIRY ROAD
KAHULUI, MAUI, HAWAII 96732
www.mauicounty.gov

March 13, 2024

The Honorable Glenn Wakai, Chair
Committee on Public Safety & Intergovernmental & Military Affairs
The State Senate
State Capitol, Room 407
Honolulu, Hawaii 96813

The Honorable Henry Aquino, Chair
Committee on Labor & Technology
The State Senate
State Capitol, Room 204
Honolulu, Hawaii 96813

Dear Chairs Wakai and Aquino:

SUBJECT: HOUSE BILL (HB) 1530, HOUSE DRAFT (HD) 1 RELATING TO FIRE PROTECTION

I am Bradford K. Ventura, member of the State Fire Council (SFC) and Fire Chief of Maui Fire Department. The SFC supports the intent of HB1530, HD1, which specifies for a collective bargaining agreement or executive policy in effect on and after 7/1/2025, requires that an employer of firefighters maintains its fire staffing service at a level of no less than four on-duty firefighters in each company. The SFC offers comments regarding HB1530, HD1.

The SFC believes HB1530, HD1, presents substantial fiscal and resource challenges to Hawaii fire departments due to:

- a. Maintenance of the staffing requirement will substantially increase overtime. Some fire departments currently exceed their budgeted overtime allocation on a regular basis.
- b. Current and projected vacancy rates experienced by fire departments across the State. The number of current positions allocated to those fire departments may not allow staffing compliance with HB1530, HD1.
- c. The existing hiring processes to fill vacancies and acquire additional fire department positions are months, and in some cases years long.
- d. The training process for newly hired firefighters can take up to ten months.

The Honorable Glenn Wakai, Chair
The Honorable Henry Aquino, Chair
Page 2
March 13, 2024

Training for new firefighters also requires months of planning and preparation. Training infrastructure for new firefighters in terms of personnel, equipment, and facilities are significant for all fire departments in Hawaii.

If you have questions, please contact SFC Administrative Specialist Gary Lum at (808) 723-7169 or glum@honolulu.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Brad Ventura". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

BRADFORD K. VENTURA
Fire Chief

**HONOLULU FIRE DEPARTMENT
KA 'OIHANA KINAI AHI O HONOLULU
CITY AND COUNTY OF HONOLULU**

636 SOUTH STREET • HONOLULU, HAWAII 96813
PHONE: (808) 723-7139 • FAX: (808) 723-7111 • WEBSITE: honolulu.gov

RICK BLANGIARDI
MAYOR
MEIA



SHELDON K. HAO
FIRE CHIEF
LUNA NUI KINAI AHI

JASON SAMALA
DEPUTY FIRE CHIEF
HOPE LUNA NUI KINAI AHI

March 13, 2024

The Honorable Glenn Wakai, Chair
Committee on Public Safety and Intergovernmental
and Military Affairs
The State Senate
State Capitol, Room 407
Honolulu, Hawaii 96813

The Honorable Henry Aquino, Chair
Committee on Labor and Technology
The State Senate
State Capitol, Room 204
Honolulu, Hawaii 96813

Dear Chairs Wakai and Aquino:

Subject: House Bill (HB) 1530, House Draft (HD) 1 Relating to Fire Protection

I am Sheldon K. Hao, Fire Chief of the Honolulu Fire Department (HFD). The HFD supports the intent of HB 1530, HD 1, which requires that a collective bargaining agreement or executive policy in effect on and after July 1, 2025, an employer of fire fighters (FF) maintains its fire staffing service at a level of no less than four on-duty FFs in each company, and offers the following comments:

The HFD believes HB 1530, HD 1 presents substantial fiscal and resource challenges to Hawaii fire departments due to the following:

1. Maintenance of the staffing requirement will substantially increase overtime. Some fire departments currently exceed their budgeted overtime allocation on a regular basis.
2. Current and projected vacancy rates are experienced by fire departments across the state. The number of current positions allocated to those fire departments may not allow staffing compliance with HB 1530, HD 1.

The Honorable Glenn Wakai, Chair
The Honorable Henry Aquino, Chair
Page 2
March 13, 2024

3. The existing hiring processes to fill vacancies and acquire additional fire department positions are months and, in some cases, years long.
4. The training process for newly hired FFs can take up to ten months. Training for new FFs also requires months of planning and preparation. Training infrastructure for new FFs in terms of personnel, equipment, and facilities are significant for all fire departments in Hawaii.

Should you have questions, please contact Administrative Specialist Gary Lum at 723-7169 or glum@honolulu.gov.

Sincerely,

SHELDON K. HAO
Fire Chief

SKH/GL:cn

**DEPARTMENT OF HUMAN RESOURCES
KA 'OIHANA HO'OMOHALA LIMAHAHA
CITY AND COUNTY OF HONOLULU**

650 SOUTH KING STREET, 10TH FLOOR • HONOLULU, HAWAII 96813
PHONE: (808) 768-8500 • FAX: (808) 768-5563 • WEBSITE: honolulu.gov/hr

RICK BLANGIARDI
MAYOR
MEIA



NOLA N. MIYASAKI
DIRECTOR
PO'O
FLORENCIO C. BAGUIO, JR.
ASSISTANT DIRECTOR
KOKUA PO'O

March 14, 2024

The Honorable Glenn Wakai, Chair
The Honorable Brandon J.C. Elefante, Vice Chair
and Members of the Committee on Public Safety and
Intergovernmental and Military Affairs
The Honorable Henry J.C. Aquino, Chair
The Honorable Sharon Y. Moriwaki, Vice Chair
and Members of the Committee on Labor and Technology
The Senate, Room 225
State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chairs Wakai and Aquino, Vice Chairs Elefante and Moriwaki, and Members of the Committees:

SUBJECT: House Bill No. 1530 HD1
Relating to Fire Protection

The Department of Human Resources, City and County of Honolulu, understands and appreciates the importance of maintaining necessary firefighting staffing levels to ensure the safety of our employees and the public. However, we respectfully oppose HB 1530 HD1, since it conflicts with management rights under Chapter 89, HRS, as it could interfere with the City's ability to direct employees and take actions as may be necessary to carry out the missions of the employer in cases of emergencies. Furthermore, the Bargaining Unit 11 Collective Bargaining Agreement already addresses this issue because it requires the Employer to "endeavor to maintain its fire service staffing in accordance with nationally recognized standards and to maintain a qualified helicopter pilot on duty during all scheduled duty hours in jurisdictions which employ helicopter pilots, as operationally required."

We thank you for giving us the opportunity to testify on this matter.

Sincerely,

A handwritten signature in black ink that reads "Nola N. Miyasaki". The signature is written in a cursive style.

Nola N. Miyasaki
Director



HAWAII FIRE FIGHTERS ASSOCIATION

INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS LOCAL 1463, AFL-CIO
1018 PALM DRIVE, HONOLULU, HAWAII 96814-1929
TELEPHONE (808) 949-1566 FAX: (808) 952-6003
WEBSITE: www.hawaiifirefighters.org

LATE Testimony

The Senate
The Thirty-Second Legislature
Regular Session of 2024

Committee on Public Safety and Intergovernmental and Military Affairs
And
Committee on Labor and Technology

March 15, 2024

H.B. No. 1530
H.D. 1

Relating to Fire Protection

LBT/PSM,
WAM

The Hawaii Fire Fighters Association (HFFA), Local 1463, IAFF, AFL-CIO represents more than 2,100 active-duty professional fire fighters throughout the State of Hawaii. The HFFA, on behalf of all our members, strongly supports H.B. No. 1530, H.D. 1, which requires fire staffing levels at no less than four on-duty fire fighters in each company.

The International Association of Fire Fighters' company staffing fact sheet is attached. The minimum crew size of four on duty is based on the National Fire Protection Association's (NFPA) Standard 1710, 2020 Edition: Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Career Fire Departments.

The U.S. Department of Labor's Occupational Safety and Health Administration's standard for staffing level is also found in [29 CFR 1910.134\(g\)\(4\)](#).

Our fire companies are often faced with workforce shortages online. H.B. 1530 is an important first step in protecting our communities and our members who are most often first on scene. Thank you for the opportunity to testify and we ask the Committee to pass H.B. 1530, H.D. 1.

NFPA® Standard 1710, 2020 Edition



Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations and Special Operations to the Public by Career Fire Departments

Fire Suppression and Special Operations Provisions

- **Career fire department** is defined as a department that uses full-time or full-time-equivalent (FTE) station-based personnel immediately available to comprise at least 50% of an initial full alarm assignment
- **Company** is defined as:
 - A group of members under direct supervision
 - Trained and equipped to perform assigned tasks
 - Organized and identified as engine, ladder, rescue, squad or multi-functional companies
 - Arrive on the scene in an apparatus
- **EXCEPTION** to company arriving on one apparatus:
 - Multiple apparatuses are assigned, dispatched and arrive together
 - Continuously operate together
 - Managed by a single company officer
- An initial alarm is personnel, equipment and resources originally dispatched upon notification of a structure fire
- **Company Staffing (Crew Size)**
 - Engine = minimum four on duty
 - High volume/geographic restrictions = five minimum on duty
 - Tactical hazards/dense urban area = six minimum on duty
 - Truck = minimum four on duty
 - High volume/geographic restrictions = five minimum on duty
 - Tactical hazards/dense urban area = six minimum on duty
- **Initial Alarm Deployment (number of fire fighters, including officers)**
 - Low hazard = 17 fire fighters
 - Medium hazard = 28 fire fighters
 - High hazard = 43 fire fighters
- **Initial Alarm Deployment (number of fire fighters, including officers)**
 - Low hazard = 17 fire fighters
 - Medium hazard = 28 fire fighters
 - High hazard = 43 fire fighters
- **Key Performance Objectives for Fire Response**
 - Turnout time ≤ 80 seconds
 - First engine arrive on scene ≤ 240 seconds (four minutes)
 - Second company arrive on scene ≤ 360 seconds (six minutes)
 - Low and medium hazard: Initial full alarm on scene ≤ 480 sec (eight minutes)
 - High hazard/high-rise: Initial full alarm ≤ 610 sec (10 minutes, 10 seconds)

- Fire departments shall set forth criteria for various types of incidents to which they are required/expected to respond. These types of incidents should include the following:

- Natural disaster
- Airport rescue and firefighting
- Acts of terrorism
- Marine rescue and firefighting
- Weapons of Mass Destruction
- Wildland fire suppression services
- Large-scale mass casualty
- Mutual and auto-aid



EMS Provisions

- The Authority Having Jurisdiction (AHJ) shall determine if the fire department will provide BLS and/or ALS first response and/or transport.
- Patient treatment associated with each level of EMS should be determined by the AHJ based on requirements and licensing within each state/province
- **Staffing (Crew Size)**
 - On-duty EMS units shall be staffed with the minimum members necessary for emergency medical care relative to the level of EMS provided by the fire department
 - Personnel deployed to ALS emergency responses include:
 - A minimum of two members trained at the paramedic level
 - **AND** two members trained at the Basic level arriving on scene within the established travel time.
- **Key Performance Objectives for EMS Response**
 - Turnout time ≤ 60 seconds
 - First responder arrives with an AED or higher capability ≤ 240 seconds (four minutes)
 - ALS unit arrives ≤ 480 sec (eight minutes)
 - The eight-minute benchmark for ALS units assumes that a first responder, minimally equipped with an AED, arrived in four minutes
- The fire department shall clearly document its role, responsibilities, functions and objectives for the delivery of EMS. EMS operations shall be organized to ensure the fire department's capability and includes members, equipment and resources to deploy the initial arriving company and additional alarm assignments