

‘O kēia ‘ōlelo hō’ike no ke
Komikina Kūlana Olakino o Nā Wāhine

Testimony on behalf of the
**Hawai‘i State Commission on the Status of
Women**

IN SUPPORT OF HB567
February 1, 2021

Aloha Chair Onishi, Vice Chair Sayama and Honorable Members,

The Hawai‘i State Commission on the Status of Women (CSW) writes in support of HB567, which would require departments to allow employees who act as a caregiver to telework or use an alternative work schedule where feasible. This measure, if passed, would also require each department to establish a telework and alternative work schedule policy, and establish a minimum percentage of eligible employees who are required to telework or use an alternative work schedule policy.

HB567 is the only telework-related bill introduced this Session that considers the punishing impact of the COVID-19 pandemic on women in the workplace, and corrects for gender equity.

According to the National Women’s Law Center, the COVID-19 pandemic has had a disastrous effect on working women. Women have had to shoulder the majority of caregiving that has resulted from school and daycare closures. However, the controlling State of Hawai‘i’s Telework Program Guidelines dated June 2, 2010 state that “teleworkers may not undertake to provide primary care during work hours for a child or children, elderly, ill or disabled person or a person who requires significant care.” Telework is an optional program. Each department can make telework decisions without following a set standard. For example, DOH cautioned management on July 17, 2020 that “telework may not be used to replace arrangements for dependent care.” This has resulted in a crisis for working parents, especially women.

Working mothers from DOH, DBEDT, and the Judiciary have contacted CSW in crisis seeking help to secure telework. For example, employees in one division of DOH who could do their work remotely were verbally informed that requests for telework for employees without childcare due to the pandemic would be automatically denied and employees should not even bother to apply. This is consistent with workers across other Departments who had no childcare options and communicated to CSW that they discouraged from applying for telework because they would not be accommodated. This has forced children into unsafe situations, and in some cases, women to “voluntarily” quit.

Accordingly, the Commission respectfully urges the Committee to pass HB567.

Sincerely,

Khara Jabola-Carolus



STATE OF HAWAII
DEPARTMENT OF EDUCATION
P.O. BOX 2360
HONOLULU, HAWAII 96804

Date: 02/02/2021
Time: 09:00 AM
Location: Via Videoconference
Committee: House Labor & Tourism

Department: Education

Person Testifying: Dr. Christina M. Kishimoto, Superintendent of Education

Title of Bill: HB 0567 RELATING TO EMPLOYMENT.

Purpose of Bill: Requires each department to establish a telework and alternative work schedule policy. Establishes a minimum percentage of eligible employees who are required to telework or use an alternative work schedule policy. Where feasible, requires departments to allow employees who act as a caregiver to telework or use an alternative work schedule.

Department's Position:

The Hawaii State Department of Education (Department) supports the intent of HB 0567 to establish telework and alternative work schedule policies.

In Spring of 2020, as it became apparent that the global pandemic would keep schools and offices closed for an extended period of time, the Department implemented interim telework guidelines which were further refined into a telework program over the summer. In October of 2020, the Board of Education held a special meeting to review the Department's telework program and guidance to ensure their alignment with the Board's resolution to reopen schools.

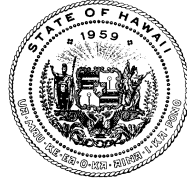
The Department has crafted a telework program that aligns with our primary mission as an educational agency. Our schools have been empowered to make operational decisions that take into account the unique needs of their school community and to provide the appropriate supports for students.

The Department acknowledges that our current policies indicate "Teleworkers shall not undertake to provide primary care during scheduled work hours for a child (or children), elderly, ill, or disabled person, or a person who requires significant care."

We remain open to exploring the use of telework in conjunction with alternative work schedules to accommodate these needs.

Thank you for the opportunity to testify on HB 0567.

The Hawai'i State Department of Education is committed to delivering on our promises to students, providing an equitable, excellent, and innovative learning environment in every school to engage and elevate our communities. This is achieved through targeted work around three impact strategies: school design, student voice, and teacher collaboration. Detailed information is available at www.hawaiipublicschools.org.



STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. Box 3378
Honolulu, HI 96801-3378
doh.testimony@doh.hawaii.gov

**WRITTEN
TESTIMONY
ONLY**

**Testimony in SUPPORT of HB567
RELATING TO EMPLOYMENT.**

REP. RICHARD ONISHI, CHAIR
HOUSE COMMITTEE ON LABOR AND TOURISM

Hearing Date: February 3, 2021

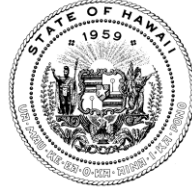
Room Number: N/A

1 **Department Testimony:** The Department of Health (DOH) supports telework as a legitimate
2 and effective workforce practice, under the proper guidelines for appropriate staff and classes of
3 work. DOH defers to the Department of Human Resources Development on collective
4 bargaining issues and hopes this dialogues continues productively.

5 Thank you for the opportunity to testify.

6 **Offered Amendments:** N/A.

7



DAVID Y. IGE
GOVERNOR

JOSH GREEN
LT. GOVERNOR

**STATE OF HAWAII
OFFICE OF THE DIRECTOR
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS**

335 MERCHANT STREET, ROOM 310
P.O. BOX 541
HONOLULU, HAWAII 96809
Phone Number: 586-2850
Fax Number: 586-2856
cca.hawaii.gov

CATHERINE P. AWAKUNI COLÓN
DIRECTOR

JO ANN M. UCHIDA TAKEUCHI
DEPUTY DIRECTOR

Testimony of the Department of Commerce and Consumer Affairs

**Before the
House Committee on Labor and Tourism
Tuesday, February 2, 2021
9:00 a.m.
Via Videoconference**

**On the following measure:
H.B. 567, RELATING TO EMPLOYMENT**

WRITTEN TESTIMONY ONLY

Chair Onishi and Members of the Committee:

My name is Catherine Awakuni Colón, and I am the Director of the Department of Commerce and Consumer Affairs (DCCA or Department). The Department appreciates the intent of this bill and offers comments.

The purposes of this bill are to, among other things: (1) require each department to establish a telework and an alternative work schedule policy; (2) establish caregiving as a valid reason to telework; and (3) establish a minimum percentage of eligible employees who are required to telework or use an alternative work schedule policy.

While the Department defers to the Department of Human Resources Development regarding the application of the collective bargaining process on telework, the Department can say unequivocally that telework was and is critical in allowing the DCCA to continue its operations and serve the public in a safe and responsible manner. Telework allows for flexibility in staggering employee presence in the workplace and in

Testimony of DCCA

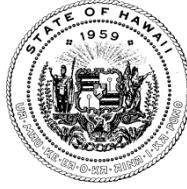
H.B. 567

Page 2 of 2

effectively providing for sufficient distancing between work stations, and it has allowed employees to address dependent care while still being able to fulfill work assignments.

The Department believes that telework should continue to be an important element of the work environment, even after the need for social distancing has abated, as it affords both the DCCA and its employees with the flexibility to get work done, irrespective of where that work is performed

Thank you for the opportunity to testify on this bill.



TESTIMONY BY:

JADE T. BUTAY
DIRECTOR

Deputy Directors
LYNN A.S. ARAKI-REGAN
DEREK J. CHOW
ROSS M. HIGASHI
EDWIN H. SNIFFEN

STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

February 2, 2021
9:00 a.m.
State Capitol, Teleconference

H.B. 567
RELATING TO EMPLOYMENT

House Committee on Labor and Tourism

The Department of Transportation (DOT) **supports** the intent of this bill.

Telework supports DOT goals of environmental stewardship, congestion reduction, safety, and mobility. It enhances DOT as an employer of choice by providing employees with greater flexibility to balance work and home life. Telework supports productivity by giving managers and employees a work arrangement option that can be used to increase the amount of productive work time. It is also an effective and efficient way for continuing critical functions when staff cannot travel to a central office due to local or national incidents.

The DOT defers to the Department of Human Resources Development on the problematic issues with this bill as currently drafted.

Thank you for the opportunity to provide testimony.

DAVID Y. IGE
GOVERNOR



RYKER WADA
DIRECTOR

ANDREW T. GARRETT
DEPUTY DIRECTOR

STATE OF HAWAII
DEPARTMENT OF HUMAN RESOURCES DEVELOPMENT
235 S. BERETANIA STREET
HONOLULU, HAWAII 96813-2437

February 1, 2021

**TESTIMONY TO THE
HOUSE COMMITTEE ON LABOR AND TOURISM**

For Hearing on Tuesday, February 2, 2021
9 a.m. via video teleconference

By

RYKER WADA
DIRECTOR

House Bill 567 – Relating to Employment

Dear Chair Onishi, Vice-Chair Sayama and Members of the Committee:

The Department of Human Resources Development (DHRD) appreciates the opportunity to testify in **support of the intent** of HB567, which, among other things, requires each department to establish a telework and alternative work schedule policy and establishes a minimum percentage of eligible employees who are required to telework or use an alternative work schedule policy.

Without a doubt, the effective use of telework has been an instrumental part of the state's COVID-19 response. What initially started off as part of our public health strategy has allowed departments to continue to serve the public, all the while protecting members of our workforce. We believe that telework is here to stay.

However, we'd like to point out that issues pertaining to employees' wages and work conditions have historically been subject to collective bargaining between the employer and exclusive employee representative. While we appreciate what this bill seeks to do, we believe the proper venue to further explore telework or alternative work schedules is via direct negotiation with the public sector unions.

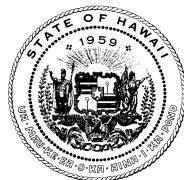
Along those lines, DHRD currently has two Memoranda of Understanding (MOU) with the Hawaii Government Employees Association (HGEA) on these topics. Our telework agreement, negotiated in 2010, provides a viable alternate work option that has allowed departments to meet its obligations while improving employee productivity and morale. Our alternative work week program affords employees the flexibility to work a non-standard work schedule. For example, rather than working 5 days a week for 8 hours a day, some employees work a “4-10” schedule, where they work 4 days a week for 10 hours a day. In both instances, the supervisor must sign off on each such arrangement on a case-by-case basis.

While it is true that the 2010 MOU does not permit caregiving as a valid reason to telework, DHRD issued interim guidelines to reverse this policy as schools and day care centers began closing in the spring of 2020. To date, we believe the vast majority of departments are allowing its employees to telework due to this ongoing caregiving challenge. However, the fact remains that there are some classes of work, such as corrections officers and custodial staff, where telework is not a feasible option due to the responsibilities of the position. We believe departments must continue to be given the latitude to grant telework for its employees based on operational need.

There are other problematic issues with this bill as currently drafted. Mandating that a specific percentage of employees be offered the opportunity to telework in a one-size-fits-all manner will very likely hamstring a department from meeting its core responsibilities. In addition, having each department establish its own telework policy will likely lead to inconsistencies across the executive branch to the detriment of our workforce.

In closing, DHRD continues to assess the role of telework as part of our “new normal” going forward. We have learned a lot over the past year and look forward to engaging HGEA on this important issue through the collective bargaining process.

Thank you for allowing us the opportunity to provide this testimony.



STATE OF HAWAII
HAWAII STATE PUBLIC LIBRARY SYSTEM
OFFICE OF THE STATE LIBRARIAN
44 MERCHANT STREET
HONOLULU, HAWAII 96813

SENATE COMMITTEE ON EDUCATION
Tuesday, February 2, 2021
9:00 am
Via Video Conference, State Capitol Room 312

By Stacey A. Aldrich
State Librarian

H.B. 567 RELATING TO EMPLOYMENT

To: Chair Richard Onishi
Vice Chair Jackson Sayama
Members of the House Committee on Labor and Tourism

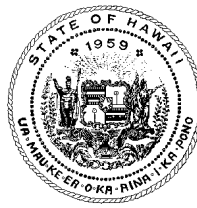
The Hawaii State Public Library System (HSPLS) appreciates the opportunity to provide comments regarding House Bill 567, requiring each department to establish telework and alternative work schedule policies, including a minimum percentage of eligible employees who are required to telework or use an alternative work schedule policy.

While HSPLS recognizes the benefits and efficiencies of telework and alternate work schedules, we do have concerns regarding mandating telework and alternate work schedule policies without regard to operational needs. Unlike most State departments and agencies, the public library system does not operate on a traditional Monday through Friday schedule. Instead, most HSPLS libraries open on a Saturday or Sunday, as well as until 7:00pm on weekdays depending on location.

Our mission requires that a substantial majority of HSPLS employees serve the public in person. Imposition of fixed percentages of staffing to telework or use alternate work schedules would substantially reduce the number of public service hours HSPLS could provide to the public statewide, as each library branch has limited staffing and almost all libraries are understaffed. In the case of some of our smallest libraries on the neighbor islands, imposition of a mandated telework or alternate work schedules would effectively close the library to the public.

Moreover, public service hours of the libraries reflect the needs of its community. By mandating alternate work schedules, the public service hours would need to be modified to fit when employees are available to work in person, rather than when the public needs access to the library. Overall, we have concerns that mandated telework and use of alternate work schedule will hamper a community's access to the public library system and its resources, at a time when we have seen a substantial increase in usage by the public.

Thank you for the opportunity to provide comments on this measure and the Committee's continued support of the Hawaii State Public Library System.



STATE OF HAWAII
DEPARTMENT OF PUBLIC SAFETY
919 Ala Moana Boulevard, 4th Floor
Honolulu, Hawaii 96814

MAX N. OTANI
DIRECTOR

Maria C. Cook
Deputy Director
Administration

Tommy Johnson
Deputy Director
Corrections

Jordan Lowe
Deputy Director
Law Enforcement

No. _____

**TESTIMONY ON HOUSE BILL 567
RELATING TO EMPLOYMENT**

by
Max N. Otani, Director
Department of Public Safety

House Committee on Labor & Tourism
Representative Richard H.K. Onishi, Chair
Representative Jackson D. Sayama, Vice Chair

Tuesday, February 2, 2021; 9:00 a.m.
State Capitol, Conference Room 312

Chair Onishi, Vice Chair Sayama, and Members of the Committees:

The Department of Public Safety (PSD) recommends that House Bill (HB) 567 be amended to create a committee to study the actions of State Agencies from March 2020 to the present to evaluate the efficiency of alternate work weeks and teleworking for providing governmental services to the public and the applicable clientele.

In the alternative to initiating a committee to study the matter, PSD request adding the language from the Families First Coronavirus Response Act (FFCRA) to exempt government employees, who are health care providers and emergency responders. The department respectfully request to add the following language:

“(g) This section is not applicable to departments with employees who are health care providers or emergency responders including support staff whose work is necessary to maintain operations.

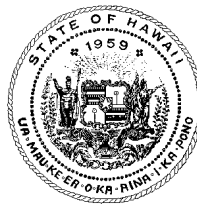
(1) Health care provider is anyone employed at a hospital, health care center, clinic, post-secondary educational institution offering health care instruction, medical school, local health department or agency, nursing facility, retirement facility, nursing home, home health care provider, any facility that performs laboratory or

medical testing, pharmacy, or any similar institution, facility, location, or site where medical services are provided that are similar to institutions.

(2) Emergency responder is anyone necessary for the provision of transport, care, healthcare, comfort and nutrition of patients, or others included but not limited to military or national guard, law enforcement officers, correctional institution personnel, fire fighters, emergency medical services personnel, physicians, nurses, public health personnel, emergency medical technicians, paramedics, emergency management personnel, 911 operators, child welfare workers and service providers, public works, personnel and persons with skills or training in operating specialize equipment or other skills needed to provide emergency services, as well as support staff who work for the agency employing these individuals and whose work is necessary to maintain operations.

This proposed amendment will ensure the efficiency of operations and safeguard the missions of various departments.

Thank you for the opportunity to present this testimony.



LATE

MAX N. OTANI
DIRECTOR

Maria C. Cook
Deputy Director
Administration

Tommy Johnson
Deputy Director
Corrections

Jordan Lowe
Deputy Director
Law Enforcement

STATE OF HAWAII
DEPARTMENT OF PUBLIC SAFETY
919 Ala Moana Boulevard, 4th Floor
Honolulu, Hawaii 96814

No. _____

TESTIMONY ON HOUSE BILL 567
RELATING TO EMPLOYMENT.

by
Max N. Otani, Director
Department of Public Safety

House Committee on Labor and Tourism
Representative Richard H.K. Onishi, Chair
Representative Jackson D. Sayama, Vice Chair

Tuesday, February 2, 2021; 9:00 a.m.
State Capitol, Conference Room 312

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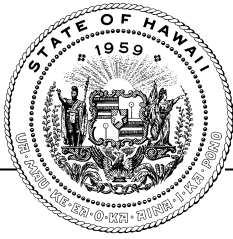
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medical testing, pharmacy, or any similar institution, facility, location, or site where medical services are provided that are similar to institutions.

(2) Emergency responder is anyone necessary for the provision of transport, care, healthcare, comfort and nutrition of patients, or others included but not limited to military or national guard, law enforcement officers, correctional institution personnel, fire fighters, emergency medical services personnel, physicians, nurses, public health personnel, emergency medical technicians, paramedics, emergency management personnel, 911 operators, child welfare workers and service providers, public works, personnel and persons with skills or training in operating specialize equipment or other skills needed to provide emergency services, as well as support staff who work for the agency employing these individuals and whose work is necessary to maintain operations.

This proposed amendment will ensure the efficiency of operations and safeguard the missions of various departments.

Thank you for the opportunity to present this testimony.



**OFFICE OF PLANNING
STATE OF HAWAII**

LATE

DAVID Y. IGE
GOVERNOR

MARY ALICE EVANS
DIRECTOR
OFFICE OF PLANNING

235 South Beretania Street, 6th Floor, Honolulu, Hawaii 96813
Mailing Address: P.O. Box 2359, Honolulu, Hawaii 96804

Telephone: (808) 587-2846
Fax: (808) 587-2824
Web: <http://planning.hawaii.gov/>

Statement of
MARY ALICE EVANS
Director, Office of Planning
before the
HOUSE COMMITTEE ON LABOR AND TOURISM
Tuesday, February 2, 2021
9:00 AM
State Capitol, Conference Room via Videoconference

in consideration of
HB 567
RELATING TO EMPLOYMENT.

Chair Onishi, Vice Chair Sayama, and Members of the House Committee on Labor and Tourism.

The Office of Planning (OP) offers **comments** on HB 567 that would require each department to establish a telework and alternative work schedule policy, establish a minimum percentage of eligible employees required to telework or on an alternative work schedule, and where feasible, allow employees who act as caregivers to telework or use an alternative work schedule.

We wish to inform you that OP is undertaking a project known as *Work Where You Live*, in coordination with the State Department of Human Resources Development (DHRD), Office of Enterprise Technology Services (ETS), as well as jointly with the City and County of Honolulu's Departments of Transportation Services (DTS), Human Resources, and Information Technology. The purpose of the project is to survey State and City workers on Oahu on their current teleworking experience and to develop recommendations to improve State and City telework policies. The project will also review telecommuting and telework best practices from other governmental jurisdictions that may be implemented in Hawaii. Funding has been provided from the City DTS with approval of the Oahu Metropolitan Planning Organization. The project is expected to get underway this month and should be completed by Fall of this year.

The implementation of an effective telework policy would enhance the recruitment and retention of employees, including helping to relieve the burden on employees who are caregivers, assist efforts to reduce commute times, vehicle miles traveled, traffic congestion, office space needs, and improve quality of life. There is also a potential long-term impact on transportation infrastructure costs and reducing greenhouse gas emissions.

Thank you for this opportunity to testify.



of Hawaii

To: Hawaii State House Committee on Labor and Tourism

Hearing Date/Time: Tuesday February 2, 9AM

Place: Hawaii State Capitol, Room 312

Re: Testimony in STRONG SUPPORT of H.B. 567

Dear Chair Onish, Vice Chair Sayama, and Members of the Committee,

Members of AAUW of Hawaii are grateful for this opportunity to testify in strong support of H.B. 567, which would require each State of Hawaii department to establish a telework and alternative work schedule policy.

According to Gartner Inc's research, 82% of business leaders plan to allow employees to work remotely some of the time¹, and 48% of the employees will work remotely at least some of the time in the post-pandemic world.² This means businesses and organizations must set clear policies based on best practices to manage a hybrid workforce in long run.

While managing a hybrid workforce, some working at business locations and some working remotely, can be challenging, providing employees with telework and alternative work schedule options benefit both employees and employers.

In addition to increase in employees' job satisfaction which would help with retaining talent, a typical employer can save an average of \$11,000 per half-time telecommuter per year as the result of increased productivity, lower real estate costs, reduced absenteeism, and better disaster preparedness.³ Once the employers are no longer bound by location, they can also hire the best talent without regard to geography.

¹ <https://www.gartner.com/en/newsroom/press-releases/2020-07-14-gartner-survey-reveals-82-percent-of-company-leaders-plan-to-allow-employees-to-work-remotely-some-of-the-time>

² <https://www.gartner.com/en/human-resources/trends/remote-work-revolution>

³ <https://globalworkplaceanalytics.com/telecommuting-statistics>

As the largest employer in Hawaii, it would be prudent for State of Hawaii to establish a telework and alternative work schedule policies, tools, and support resources based on best practices which can then potentially be a model for other employers in Hawaii. Fortunately, many larger companies have offered telework as options to the employees pre-pandemic and organizations such as the Society for Human Resource Management (SHRM) offers guidance⁴ based on best practices.

The American Association of University Women (AAUW) of Hawaii is a state-wide organization made up of six branches (Hilo, Honolulu, Kauai, Kona, Maui, and Windward Oahu), and over 3800 members and supporters statewide. As advocates for gender equity, AAUW of Hawaii promotes the economic, social, and physical well-being of all persons.

Please pass this important measure, especially for the working parents. Mahalo.

A handwritten signature in blue ink, appearing to read 'Y. Overly', is positioned above the typed name.

Younghee Overly
Public Policy Chair, AAUW of Hawaii
publicpolicy-hi@aauw.net

⁴ <https://www.shrm.org/resourcesandtools/pages/remote-work.aspx>



Hawaii
Children's Action Network Speaks!
Building a unified voice for Hawaii's children

Hawai'i Children's Action Network Speaks! is a nonpartisan 501c4 nonprofit committed to advocating for children and their families. Our core issues are safety, health, and education.

To: Representative Onishi, Chair
Representative Sayama, Vice Chair
House Committee on Labor & Tourism

Re: **HB 567- Relating to Employment**
Hawai'i State Capitol, Room 312
9AM, February 2, 2021

Chair Onishi, Vice Chair Sayama, and committee members,

On behalf of HCAN Speaks!, thank you for the opportunity to testify in **support of House Bill 567**, a bill to encourage Hawaii state departments to adopt telework policies.

Requiring each department to adopt a telework policy and adopting a statewide goal to move a greater share of employees to telework will provide immediate and long-term benefits to the state. Telework can reduce costs for the state and help retain employees. Additionally, due to the impact of the pandemic on working women, telework can also help reduce workplace inequities and keep working mothers on the job.

Last March, many state departments quickly pivoted to allow employees to telework. As child care and schools closed, employees (both state and private) grappled with how they could make caregiving and working work. We know now that women took on additional duties, increasing their caregiving responsibilities and taking on remote learning.¹ At the state level, working parents and their fellow employees adapted to telework and kept critical state government services functioning. While not every state employee is eligible for telework, instead of reverting back to previous state workplace policies, the state should expand their telework options.

According to the Hawaii State Department of Commerce and Consumer Affairs, telework has many benefits², including:

- Lessen traffic congestion and reduce greenhouse gas emissions;
- Provide job flexibility to improve the quality of work-life of employees and to recruit and retain workers, including experienced, post-retirement age workers, who require or desire flexible work conditions;

¹ New York Times, May 2020, Nearly Half of Men Say They Do Most of the Home Schooling. 3 Percent of Women Agree,

<https://www.nytimes.com/2020/05/06/upshot/pandemic-chores-homeschooling-gender.html>

² <https://cca.hawaii.gov/broadband/telework-resources/>



Hawaii
Children's Action Network Speaks!
Building a unified voice for Hawaii's children

- Decrease commute time, expense, and stress to improve quality of work-life for employees;
- Increase job opportunities through workplace flexibility for specific populations that might not be able to work otherwise, such as persons with disabilities, new mothers, and persons responsible for dependent care; and
- Reduce office and energy costs.

Flexibility in hours and telecommuting can increase workplace equity. Women have left the workforce in droves since March. Many women have had to leave jobs due to the lack of flexibility and incompatibility with caregiving. A report of over 40,000 employees found 1 in 4 women considering reducing work hours or leaving their job due to caregiving demands because of school and child care closures.³ The gender imbalance of caregiving responsibilities should not cost women their careers. The “motherhood penalty” has existed for decades and is based on the perpetuated belief that employees cannot have dual roles, worker and caregiver.⁴ Hawaii’s executive branch employees are majority women and some of the most impacted departments (Department of Human Services, Department of Health and Department of Labor and Industrial Relations) have the highest percentage of female workers.⁵ At a time when these departments continue to see a greater need for their services, losing the workforce to outdated workplace policies would be a misstep.

Investing in telework has been a trend for the country and other states for over a decade.⁶ Both the federal government and a handful of states have prioritized telework for the benefits. The executive branch could be a leader in this area and show other local businesses what is possible through a commitment to telework.

To recover from the impact of the pandemic, we need to forge new ways for work. Supporting working moms to stay in the workforce benefits their families and the state. Leaving the workforce due to inability to both caregive and work will only slow the economic recovery, not to mention the detrimental effects on the family and child development. For these reasons, we ask that the committee report favorably on HB 567 and pass the bill out of the committee.

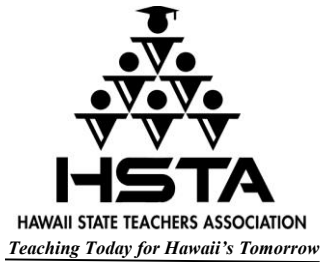
Kathleen Algire
Director of Early Learning and Health Policy

³ McKinsey and Co, Sept. 2020, *Women in the Workplace 2020*, <https://womenintheworkplace.com/>

⁴ American Association of University Women, 2019, https://ww3.aauw.org/aauw_check/files/2016/02/Simple-Truth-Update-2019_v2-002.pdf

⁵ Department of Human Resources and Development, Executive Branch Workforce Profiles, fiscal year ending June 30 2020, <https://dhrd.hawaii.gov/wp-content/uploads/2020/12/Executive-Branch-Workforce-Profile-Fiscal-Year-Ended-June-30-2020-1.pdf>

⁶ National Conference of State Legislatures, <https://www.ncsl.org/research/labor-and-employment/covid-19-teleworking.aspx>



1200 Ala Kapuna Street ♦ Honolulu, Hawaii 96819
Tel: (808) 833-2711 ♦ Fax: (808) 839-7106 ♦ Web: www.hsta.org

Corey Rosenlee
President

Osa Tui Jr.
Vice President

Logan Okita
Secretary-Treasurer

Wilbert Holck
Executive Director

TESTIMONY BEFORE THE HOUSE COMMITTEE ON LABOR & TOURISM

RE: HB 567 - RELATING TO EMPLOYMENT

TUESDAY, FEBRUARY 2, 2021

COREY ROSENLEE, PRESIDENT
HAWAII STATE TEACHERS ASSOCIATION

Chair Onishi and Members of the Committee:

The Hawaii State Teachers Association **supports HB 567**, relating to employment. The bill requires each department to establish a telework and alternative work schedule policy. Establishes a minimum percentage of eligible employees who are required to telework or use an alternative work schedule policy. Where feasible, requires departments to allow employees who act as a caregiver to telework or use an alternative work schedule.

While the global coronavirus pandemic has proven to be devastating for the vast majority of those in our communities, it has also uncovered opportunities for improvement in terms of government efficiency. For the Department of Education, some of our students are thriving in this distance learning environment without the distractions of bullying and other stressors. Likewise, many educators have taken well to connecting with students in new and innovative ways. A number of parents take their children out of the system for homeschooling because no viable options are available from the DOE to provide access to a qualified teacher through distance learning. Sometimes, parents take their children out of the system under the guise of homeschooling to avoid conflicts with other students and these students can quite easily fall through the cracks. Related to that, many parents are forced to find schools closer to the urban centers where they work via geographic exceptions. **Being able to work from home, employees as parents would be able to have their children go to schools in their own neighborhoods with classmates that they are already growing up with in the community.**

Offering options for telework is just good policy and benefits not only employees, but also our state government as the employer, our communities, the environment, and more. Employees benefit from being away from workplace disagreements and allows them to concentrate on doing a good job. During this pandemic, teachers and other school personnel have often been forced to show up to their worksite without any students in attendance which only served to increase stress and frustration

levels. Also, when employees might be suffering from things like minor cold symptoms, they are forced to take sick days even though they may be able to perform their job duties if they can do so in isolation. **When teleworking, colleagues are protected from becoming sick and the employee can maintain a level of productivity that is lost when they have to call in sick.**

Providing increased teleworking options benefits the state and our communities in numerous ways. In a state that has notoriously bad traffic, every employee that is allowed to telework removes more vehicles from the road and mitigates the negative environmental effects associated with commuting to work. Likewise, fewer employees having to report to a worksite allows the government to reduce the need for office space and electrical consumption which allows for more efficient use of tax dollars.

As elder and childcare costs continue to rise, allowing employees to simultaneously act as caregivers while working from home reduces employee needs to expend funds unnecessarily and reduces the pressures on communities to provide more and more of these services with diminishing quality. With more spaces made available for these services, others who still need them will have an easier time finding openings thus reducing their stress levels.

Families are already having a tough time making ends meet in our state with its high cost of living. Any chance to reduce burdens while increasing productivity should be acted upon. Increasing telework options is a prime opportunity to act in that capacity. It's time the state moves more of our employment practices into the 21st century despite one-fifth of this century already being behind us, therefore, the Hawaii State Teachers Association asks your committee to **support** 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-First Legislature, State of Hawaii
House of Representatives
Committee on Labor and Tourism

Testimony by
Hawaii Government Employees Association
February 2, 2021

H.B. 465 – RELATING TO COLLECTIVE BARGAINING

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO strongly supports the purpose and intent of H.B. 465 which establishes that the Labor Representative on the Hawaii Labor Relations Board (HLRB) be selected by a majority of the Exclusive Representatives and confirmed by the Senate, and establishes a procedure for the Labor Representative's removal.

The mission of the HLRB is to fairly resolve labor disputes and enforce and protect the rights of unionized public employees and public unions to organize and bargain collectively in balance with the Employer's rights to manager operations. The HLRB is composed of three members – a representative of labor, a representative of management, and the chairperson who shall represent the public interest. The Labor Representative is appointed by the Governor from a list of three nominees submitted by a majority of the Exclusive Representatives and must be confirmed by the Senate, however the Governor also appoints both the Management Representative and the Chairperson of the Board, thus granting the Governor significant influence over all three seats. The current process grants the Governor too much authority over an adjudicatory board in which the Governor, serving as the Employer, is often party. Since decisions and rulings by the HLRB directly impact every unionized state and county government employee in Hawai'i, it is fair and reasonable to allow the Exclusive Representatives the right to collectively nominate our Labor Representative. Similarly, if the Labor Representative does not represent labor's best interests, there should be an established mechanism for removal and replacement.

While this measure will not completely balance the scales of power between the Employer and the Exclusive Representatives, it will serve to ensure that the Exclusive Representatives' collective voice is strengthened. Thank you for the opportunity to testify in strong support of H.B. 465.

Respectfully submitted,

Randy Perreira
Executive Director

To: Hawai'i State House of Representatives Committee on Labor and Tourism
Hearing Date/Time: Tuesday, Feb. 2, 2021, 9:00 am
Place: Hawai'i State Capitol, Rm. 312
Re: Testimony of Planned Parenthood Votes Northwest and Hawai'i in support of HB 567

Dear Chair Onishi and Members of the Committee,

Planned Parenthood Votes Northwest and Hawai'i ("PPVNH") writes in support of HB 567.

Caregiving is essential, especially during the COVID-19 pandemic. Since the 1960s, women's roles have expanded (paid worker role and family caregiver role) rather than shifted (paid worker role).

The State of Hawaii's Telework Program Guidelines dated June 2, 2010 state that "teleworkers may not undertake to provide primary care during work hours for a child or children, elderly, ill or disabled person or a person who requires significant care." Currently, this is the State's controlling telework policy. For example, DOH cautioned management on July 17, 2020 that "telework may not be used to replace arrangements for dependent care."

Telework is an optional program. Each department can make telework decisions without following a set standard.

Telework is a lifeline for parents and women in particular, who are expected to offset disruptions to schools and daycare providers during the COVID-19 pandemic. At present, the availability of in-person learning varies depending on location, and students have not been universally phased back to classrooms in Hawaii (K-2nd grade have F2F priority). The States needs someone to watch and protect children amid reduced school and childcare supervision.

Historically, being a worker and a parent has not been a problem until women began to enter the workforce. This is because care of children and home falls on women. Restrictive "traditional" workplace policies are based on the outdated ideas that unemployed wives or older women will look after the home and children.

Men suffer more negative consequences and social stigma than women for gender role violations (e.g., asking a boss for telework to watch children), which discourages men from caregiving and forces the burden on women. Women were more likely to interrupt career to care for family members prior to the pandemic ([Pew Research Center](#), 2015).

Telework could correct a worsening gender pay gap. The explicit prohibition on telework for caregiving is an example of overt sexism in the workplace. Women are forced to expend all of their sick and vacation days, then take leave without pay (LWOP) for caregiving. This negatively impacts women's economic security and career mobility because affects employment, years of services, and ultimately retirement pension.

Over 50% of executive branch employees are women. According to Department of Human Resources and Development, [Executive Branch Workforce Profiles](#), fiscal year ending June 30 2020:

- Some of the most impacted departments have the highest percentage of female workers:
 - DHS 71%
 - DOH 66%
 - DLIR 67%

63% of children had [all available parents](#) in the workforce (Estimate includes children in two-parent families where both parents are in the workforce, and children in single-parent families where the single parent is in the workforce).

1 in 4 women considered reducing working hours or [leaving the workforce](#) during the COVID-19 pandemic. Flexibility in hours and telecommuting can strengthen workplace equity, retain workers, and keep children safe.

Federal emergency family leave was largely symbolic, temporary, and not accessible to many workers facing the childcare crisis. Telework is not an anodyne to the caregiving crisis but a stint to enable women's participation in the paid workforce.

Thank you for this opportunity to testify in support of this important legislation.

Sincerely,
Laurie Field
Hawai'i State Director

HB-567

Submitted on: 1/29/2021 3:45:04 PM

Testimony for LAT on 2/2/2021 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Caroline Kunitake	Individual	Support	No

Comments:

Dear Chair Richard H.K. Onishi and Vice Chair Jackson D. Sayama,

Please support HB567. The COVID-19 pandemic has proven that telework options are necessary for government workers.

State government must continue to provide public service during an emergency without endangering the health of their workers. Telecommuting reduces the infection risks while ensuring the health and welfare of state workers and their families.

Many federal workers are able to telecommute, thus making federal employment even more attractive. The state needs to become a more competitive employer by implement technology and work policies to promote more teleworking opportunities.

Teleworking reduces long commute times, the need to own a car, greenhouse gas emissions and the need for parking and physical office space. Teleworking increases work flexibility which may provide more time for caregiving to children and/or elderly family members.

Thank you so much for your time and attention to this important bill that benefit both employer and employee.

Mahalo,

Caroline Kunitake

Hearing Date: Thursday, February 2, 2021

To: COMMITTEE ON LABOR AND TOURISM
Rep. Richard H.K. Onishi, Chair
Rep. Jackson D. Sayama, Vice Chair

From: Jean Evans, MPH (Individual) jevans9999@yahoo.com, 808-728-1152
99-1669 Hoapono Pl., Aiea, Hi 96701

RE: TESTIMONY IN SUPPORT OF HB 567, RELATING TO EMPLOYMENT

My name is Jean Evans. I retired after 40 years holding executive positions in several Hawaii non-profit agencies and received both my baccalaureate and graduate degrees from the University of Hawaii at Manoa.

I am in strong support of HB 567, Relating to Employment

One result of the current pandemic has been the change in working situations. Nearly 50% of workers are now, or have been, working remotely - most often from home. Women have lost jobs at higher rates than men during the past year. However, many of them could continue working if allowed to “telework” or have alternative work schedules. In my experience as an employer, I saw first-hand how challenging it can be for employees to get into the office in Honolulu on time every day from homes on the North Shore and meet family demands.

Telecommuting, is not a new phenomenon, and the practice has continued to be more common over the years. Younger workers, especially, rank work flexibility including time and location of work, leave, and working remotely as being very important to them. Research shows that flexibility actually improves work-life balance, and increases productivity and retention.

There are benefits of teleworking for both employers and employees. According to Global Workplace Analytics (GWA), employers can save on average, \$11,000 per year per an employee who is working half-time remotely. These saving come from increased productivity, lower real estate costs and lower absenteeism and turnover. They also can attract more highly qualified workers who may not live in close proximity to the brick-and-mortar office.

GWA also lists many benefits for employees including savings of between \$2,500 and \$4,000 annually on reduced travel, parking and food in spite of some additional home food and energy costs. Savings on commuting includes extra time not spend on the road which can be especially significant on Oahu where many workers spend an hour or more commuting each way to and from work. In addition, during this COVID crisis

teleworking allows a worker to remain employed while childcare programs and schools are closed.

There are also many health and environmental benefits to working remotely including a reduced carbon footprint, cleaner air, less stress and reduced exposure to germs and viruses.

It is time for Hawaii to establish a telework and alternative work schedule policy for State employees. I see this measure as a win for both the State of Hawaii as an employer and for the thousands of state employees.

Mahalo for allowing me to submit my testimony today.

Jean Evans

HB-567

Submitted on: 1/30/2021 3:09:21 PM

Testimony for LAT on 2/2/2021 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Amy Brinker	Individual	Support	No

Comments:

Support

To: Hawaii State House Committee on Labor and Tourism
Hearing Date/Time: Tuesday, February 2, 2021 (9:00 am)
Place: Hawaii State Capitol, Rm. 312
Re: Testimony in support of HB567 (relating to employment)

Aloha Representative Richard H.K. Onishi (Chair), Representative Jackson D. Sayama (Vice Chair), and Committee Members,

I am grateful for this opportunity to testify in **strong support of HB567 (relating to employment)**.

I retired from teaching online for the University of Hawaii, at Manoa in fall, 2019, so prior to the Covid pandemic. However, my experience with working online was that it functioned well in a time of crisis, and had I had elders or children to caretake, would have been helpful.

A number of my friends in Hawaii, and around the world are working remotely at this point in time, and a few have been doing this for years. For many people, telework is more efficient, and fits well with family commitments. There are the additional benefits to changing traditional employment, such as diminishing the insane numbers of cars and people pouring into downtown Honolulu each day.

Global Workplace Analytics estimates that “75 million U.S. employees (56% of the non-self-employed workforce could work-from-home” (<https://globalworkplaceanalytics.com/how-many-people-could-work-from-home>). Let’s be on the forefront of creating a family-friendly, environment-friendly work practice in Hawaii.

In conclusion, **I urge the passage of HB567.**

Thank you for the opportunity to testify.

Sincerely

Susan J. Wurtzburg

Susan J. Wurtzburg Ph.D.
Owner/Editor Sandy Dog Books LLC

HB-567

Submitted on: 1/30/2021 4:50:32 PM

Testimony for LAT on 2/2/2021 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Katherine Buckovetz	Individual	Support	No

Comments:

As a kapuna living in Kllua Kona, I see the effect of rigid work schedules and no option for teleworking on local adults and keiki. Lack of jobs, childcare, kapuna care and supports for families need to be addressed. Teleworking and flexible work hours allow parents and caregivers to work flexible hours, save costs on care, assist school distance learning earn income, and pay bills. It allows increases tax revenue. Working people think better of themselves as being productive wage earners and serve as role models for keiki. We saw the immense success of teleworking and alternative work hours during Covid. Please keep this proven model in place and expand its use throughout Hawaii. Mahalo nui.

HB-567

Submitted on: 1/30/2021 5:59:49 PM

Testimony for LAT on 2/2/2021 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Janet Morse	Individual	Support	No

Comments:

Bill Number - HB 567

Committee: House Committee on Labor and Tourism

Hearing Date, Time, Room : Tuesday, February 2, 2021, 9:00am, Room 312

Testimony in support of HB 567 Relating to Employment (Telework, Telecommuting, Alternative Work Schedule, Work From Home)

Dear Representative Richard H.K. Onishi, Chair; Representative Jackson D. Sayama, Vice Chair and Members of the Committee

I am writing in support of HB 567. My testimony is inspired by the experience of my daughter who has been able to telework from home since March. She was one of the first employees in her company to be allowed to work from home because she is diabetic and at high risk if she is exposed to COVID 19.

Fortunately she holds a job that is compatible with at least partial telework (as is 50% of the US workforce).

I am grateful that she is not one of the women who have suffered pandemic-related job losses.

Women have disproportionately been affected by the pandemic losing nearly 5.8 million net jobs since February 2020, accounting for 53.9% of overall net job loss since the start of the crisis.

Telecommuting has been a good experience for her and for her company. She is saving time and money because she doesn't commute, she has been able to plant a garden and provide fresh vegetables for the household. Her company has cut down on minor expenses such as paper towels and napkins in the lunch room as well as limiting the space that has to be air conditioned.

Thank you for the opportunity to testify.

Janet Morse

AAUW Hawaii member

HB-567

Submitted on: 1/30/2021 9:21:52 PM

Testimony for LAT on 2/2/2021 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Elizabeth Hansen	Individual	Support	No

Comments:

Please support this important bill.

Mahalo

Elizabeth Hansen

Hakalau HI 96710

HB-567

Submitted on: 1/31/2021 9:35:14 PM

Testimony for LAT on 2/2/2021 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Darcey Iwashita	Individual	Support	No

Comments:

I support this bill.

LATE

HB-567

Submitted on: 2/1/2021 7:33:50 PM

Testimony for LAT on 2/2/2021 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Melissa Martinez	Individual	Support	No

Comments:

I strongly support HB 567 for the following reasons:

- **Caregiving is essential, especially during the COVID-19 pandemic;**
- **Since the 1960s, women’s roles have expanded (paid worker role and family caregiver role) rather than shifted (paid worker role);**
- **The State of Hawaii’s Telework Program Guidelines dated June 2, 2010 state that “teleworkers may not undertake to provide primary care during work hours for a child or children, elderly, ill or disabled person or a person who requires significant care.” Currently, this is the State’s controlling telework policy. For example, DOH cautioned management on July 17, 2020 that “telework may not be used to replace arrangements for dependent care;”**
- **Telework is an optional program. Each department can make telework decisions without following a set standard;**
- **Telework is a lifeline for parents and women in particular, who are expected to offset disruptions to schools and daycare providers during the COVID-19 pandemic;**
- **At present, the availability of in-person learning varies depending on location, and students have not been universally phased back to classrooms in Hawaii (K-2nd grade have F2F priority);**
- **The States needs someone to watch and protect children amid reduced school and childcare supervision;**
- **Historically, being a worker and a parent has not been a problem until women began to enter the workforce. This is because care of children and home falls on women. Restrictive “traditional” workplace policies are based on the outdated ideas that unemployed wives or older women will look after the home and children;**
- **Men suffer more negative consequences and social stigma than women for gender role violations (e.g., asking a boss for telework to watch children), which discourages men from caregiving and forces the burden on women;**
- **Women were more likely to interrupt career to care for family members prior to the pandemic ([Pew Research Center](#), 2015);**
- **Telework could correct a worsening gender pay gap. The explicit prohibition on telework for caregiving is an example of overt sexism in the workplace. Women are forced to expend all of their sick and vacation days,**

then take leave without pay (LWOP) for caregiving. This negatively impacts women's economic security and career mobility because affects employment, years of services, and ultimately retirement pension;

- Over 50% of executive branch employees are women

- According to Department of Human Resources and Development, [Executive Branch Workforce Profiles](#), fiscal year ending June 30 2020:
 - Some of the most impacted departments have the highest percentage of female workers:
 - DHS 71%
 - DOH 66%
 - DLIR 67%

- 63% of children had [all available parents](#) in the workforce (Estimate includes children in two-parent families where both parents are in the workforce, and children in single-parent families where the single parent is in the workforce);
- 1 in 4 women considered reducing working hours or [leaving the workforce](#) during the COVID-19 pandemic;
- Flexibility in hours and telecommuting can strengthen workplace equity, retain workers, and keep children safe;
- Federal emergency family leave was largely symbolic, temporary, and not accessible to many workers facing the childcare crisis;
- Telework is not an anodyne to the caregiving crisis but a stint to enable women's participation in the paid workforce.

LATE

HB-567

Submitted on: 2/1/2021 8:33:26 PM

Testimony for LAT on 2/2/2021 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Thaddeus Pham	Individual	Support	No

Comments:

Aloha Labor and Tourism Committee,

Please support and pass HB567. As a public health professional and a state worker, I witnessed firsthand the effectiveness of telework options during the COVID-19 pandemic. I also sadly know of other state workers who were forced to take emergency leave because they could not afford or obtain childcare or eldercare. Furthermore, the loss of productivity and concomitant economic downturn from caregivers leaving the workforce is entirely preventable by allowing for these effective alternative work options.

Please ensure that our caregivers, keiki, and communities have the opportunity to thrive by ensuring this option for local families!

Thank you,

Thaddeus Pham

LATE

HB-567

Submitted on: 2/1/2021 10:44:28 PM

Testimony for LAT on 2/2/2021 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Allison Mikuni	Individual	Support	No

Comments:

I highly support the proposed measure. Its adoption will assist Hawaii State government to catch up with what other employers have attained many years ago and promote a more positive working environment.