



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

Roger K. Takabayashi
President

Wil Okabe
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Karolyn Mossman
Secretary-Treasurer

Mike McCartney
Executive Director

TESTIMONY BEFORE THE HOUSE COMMITTEES ON
EDUCATION AND LABOR & PUBLIC EMPLOYMENT

RE: HB 880 – RELATING TO EDUCATION

February 11, 2009

ROGER TAKABAYASHI, PRESIDENT
HAWAII STATE TEACHERS ASSOCIATION

Chair Takumi, Chair Rhoads and Members of the Committees:

The Hawaii State Teachers Association strongly supports HB 880, which repeals language from Act 51, Session Laws of Hawaii 2004, which specifies that the Act prevails over any conflicting language in the public employment collective bargaining law with regard to resolving conflicts between collective bargaining agreements and administrative rules and between the public employment collective bargaining law and other sources of state or local laws.

By repealing the language, improvements to Act 51 can be resolved through collective bargaining, as opposed to the complicated and unnecessary process that has been in place for the past four years. These improvements must be agreed upon by both HSTA and the employer – the State – instead of by enacting new law.

We strongly urge the committee to pass this bill.

Thank you for the opportunity to testify.

berg1-Liz

From: Diane Aoki [dkeikoa@hawaii.rr.com]
Sent: Tuesday, February 10, 2009 5:47 AM
To: EDNtestimony
Subject: SUBJECT: HB 880 RELATING TO EDUCATION

House Committee on Education/Labor & Public Employment Wednesday, Feb. 11, 2009 Conference Room 309 2:00 p.m.

My name is Diane Aoki and I am a teacher at Kealakehe Elementary School and I strongly support HB 880 which repeals language from Act 51, Session Laws of Hawaii 2004, that specifies that the act prevails over any conflicting language in the public employment collective bargaining law on resolving conflicts between the collective bargaining agreements and administrative rules and between the public employment collective law and other sources of state or local laws.

Act 51, SLH 2004, have been in our schools for 4 years and there are area of concerns that needs to be improved which would be done better in collective bargaining (both parties have to agree) rather than by law.

I don't think the legislators at the time could could foreseen all the devil in the details that this law has wrought. For example, in the days of SCBM, there was a lot MORE collaboration. All stakeholders used to poll their representative group before any decisions were made. Now, there is no provision for that, and the SCC seems to operate on its own. Moreover, the administration has almost dictatorial control, as there is no check on his/her authority. The complex area superintendant will of course, back him or her up as his or her performance is a reflection on the CAS. It has been difficult to get teachers to hold the SCC position as the word gets around that their opinion doesn't matter, that their vote will be outnumbered because of the authority that the principal holds over the others. And if not, that the CAS will respond. There is nothing to hold the principal accountable, even to carry out the Academic and Financial Plan. We could go through the motions of approving the ACFIN, and come to find out that the money was spent on programs that never appeared in the AcFin at the time it was approved.

I don't feel it is in the best interests of both public education and the legislature to seek remedy for all these (and more) concerns. Collective bargaining is much less expensive, and much more likely to reap some results.

Thank you for taking my views into consideration. I hope you will support this bill.

Diane Aoki

berg1-Liz

From: Mike_Landes@notes.k12.hi.us
Sent: Tuesday, February 10, 2009 2:26 PM
To: EDNtestimony
Subject: HB 880

I am a teacher at Lahainaluna High School, and I strongly support HB 880 which repeals language from Act 51, Session Laws of Hawaii 2004, that specifies that the act prevails over any conflicting language in the public employment collective bargaining law on resolving conflicts between the collective bargaining agreements and administrative rules and between the public employment collective law and other sources of state or local laws.

Act 51, SLH 2004, have been in our schools for 4 years and there are areas of concern that need to be improved, which would be done better in collective bargaining (both parties have to agree) rather than by law.

Thank you for your attention to this matter.

- J. Michael Landes
Lahaina, HI