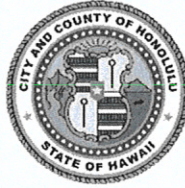


DEPARTMENT OF HUMAN RESOURCES
CITY AND COUNTY OF HONOLULU

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KIRK CALDWELL
MAYOR



CAROLEE C. KUBO
DIRECTOR

NOEL T. ONO
ASSISTANT DIRECTOR

January 30, 2020

The Honorable Brian T. Taniguchi, Chair
The Honorable Les Ihara, Jr., Vice Chair
and Members of the Committee on Labor, Culture and the Arts
The Senate, Room 224
State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chair Taniguchi, Vice Chair Ihara, and Members of the Committee:

SUBJECT: Senate Bill No. 2251
Relating to Collective Bargaining

The City and County of Honolulu supports SB 2251, which would create a separate bargaining unit (Bargaining Unit 15) for Water Safety and Ocean Safety Officers in the State of Hawaii. The Water Safety Officers of the City and County of Honolulu provide year round lifeguard services for the island of Oahu. A separate bargaining unit would be appropriate because of their unique job duties that are unlike any of the other 14 bargaining units.

Thank you for the opportunity to testify on this measure.

Sincerely,

A handwritten signature in black ink, appearing to read "Carolee C. Kubo". The signature is fluid and cursive, with a long horizontal stroke at the end.

Carolee C. Kubo
Director



**KAUA'I FIRE DEPARTMENT
THE COUNTY OF KAUA'I**

**DEREK S. K. KAWAKAMI, MAYOR
MICHAEL A. DAHLIG, MANAGING DIRECTOR**

**ROBERT F. WESTERMAN
FIRE CHIEF**

Testimony of Robert F. Westerman
Fire Chief, Kaua'i Fire Department

Before the
Senate Committee on Labor, Culture and The Arts
January 30, 2020; 2:45 pm
Conference Room 224

In consideration of
Senate Bill 2251
Relating to Collective Bargaining

Honorable Chair Taniguchi, Vice Chair Ihara, and Members of the Committee:

The Kaua'i Fire Department, Ocean Safety Bureau is a professional lifesaving service on the most northern Island of the Hawaiian chain. As you all know the beaches of Hawai'i attracts visitors from all walks of life due to the natural beauty making the tourism industry Hawai'i's number #1 economic benefit. Our beaches are the most beautiful places in the world but at times are the deadliest.

Our Ocean Safety Officers risk their lives daily on performing ocean rescues, preventative actions, and lifesaving medical response techniques for visitors and residents alike. The Hawaiian lifeguards are recognized internationally to be among the best in the world as they have to deal with hazardous ocean conditions, and extremely large surf.

Bargaining Unit #14 was the first new bargaining unit formed by the HGEA in over 30 years. This bargaining unit includes sheriffs, harbor police, state and county lifeguards, and DLNR enforcement officers, recognized as Public Safety.

Due to significant differences in the job functions, contract negotiations has become increasingly difficult, especially with a different scope of work. The DLNR officers, sheriffs, and harbor police are all trained for law enforcement duties while the ocean and water safety officers are trained for water rescues, medical response, and preventative actions.

The Kaua'i Fire Department, Ocean Safety Bureau strongly supports SB 2251, which would create a separate Bargaining Unit #15 for the state & county ocean and water safety officers. This new unit will represent the unique and specific labor concerns related to the Hawai'i's lifeguards.

Sincerely,

Robert F. Westerman
Fire Chief

RFW/st





HAWAII GOVERNMENT EMPLOYEES ASSOCIATION

AFSCME Local 152, AFL-CIO

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

The Thirtieth Legislature, State of Hawaii
House of Representatives
Committee on Labor and Public Employment

Testimony by
Hawaii Government Employees Association
January 30, 2020

S.B. 2251 – RELATING TO COLLECTIVE BARGAINING

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO strongly supports the purpose and intent of S.B. 2251 which amends bargaining unit 14 to be composed of state law enforcement officers (LEOs) and creates a new bargaining unit 15 to be composed of state and county ocean safety and water safety officers (OSOs).

Bargaining unit 14 is currently composed of deputy sheriffs, conservation and resource enforcement officers, harbor enforcement officers, and state and county ocean and water safety officers who previously belonged to bargaining unit 3, white collar employees. At the time of creation, the Legislature recognized and understood that the unique needs of the LEOs and OSOs could not be addressed if they remained in the largest, and one of the most diverse units.

During the 2013 legislative session, we asserted that through a separate bargaining unit the specialized needs of LEOs and OSOs, including mandatory trainings and certifications, uniform and equipment allowances, and terms and conditions of employment, would be more directly and uniformly addressed with the Employer. Although this remains true, after the completion of two rounds of contract negotiations, it is apparent that the two groups of employees are too incongruous to be in the same unit. LEOs are armed personnel who are trained to execute law enforcement services statewide, handle detained persons, serve arrest warrants, and ensure the compliance of state law in a variety of areas, including airports, courts, harbors, and state lands. OSOs are not armed and do not provide law enforcement services, but rather are trained for ocean rescues, emergency medical first response, and injury prevention programs. Combining the specialized needs of law enforcement and ocean safety in one unit has proven to be impractical as they are two distinct occupational classes, similar to the differences between police officers, firefighters, and nurses.

We wholeheartedly believe that creating a new bargaining unit is necessary for us to best address the different needs of our government employees. Thank you for the opportunity to testify in strong support of S.B. 2251.

Respectfully submitted,

Randy Perreira
Executive Director



HAWAIIAN LIFEGUARD ASSOCIATION

January 29, 2020

The Honorable Brian T. Taniguchi, Chair,
The Honorable Les Ihara Jr., Vice-Chair,
and Members
Senate Committee on Labor, Culture and the Arts
The Thirtieth Legislature
Regular Session of 2020

Dear Chair Taniguchi, Vice Chair Ihara, and Members:

Re: SB 2251 RELATING TO COLLECTIVE BARGAINING

The Hawaiian Lifeguard Association (HLA) is the non-profit statewide organization that supports the interests of the 400 professional Ocean and Water Safety Officers employed in the State of Hawaii. The goals of the HLA are to maintain the highest standards of training and performance for the lifeguards who ensure the safety of the millions of visitors and residents who visit Hawaii's beaches. The HLA also supports and promotes drowning and injury prevention programs statewide to reduce the number of incidents that occur in the ocean environment every year.

Hawaii's lifeguards are recognized internationally as among the best in the world, having to deal with the biggest and most dangerous surf conditions, pioneering the use of personal watercraft for surf rescue, and for implementing innovative and effective prevention programs.

In November of 2013, the Hawaii Labor Relations Board approved the creation of HGEA Bargaining Unit 14. This significant decision was the result of recognizing the public safety functions of the State's lifeguards, sheriffs, harbor patrol, and DLNR enforcement officers.

Unit 14 was the first new bargaining unit formed in the HGEA in over 30 years, and was a welcome improvement in labor representation for the included public safety employees.

However, during biennial contract negotiations, it has become increasingly apparent that there are significant differences in the job functions of the four classes of employees in the unit.

Post Office Box 283324, Honolulu, HI 96828 Telephone: (808) 479-1610

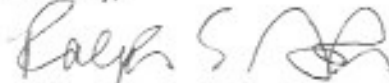
www.hawaiianlifeguardassociation.com

Sheriffs, DOCARE Enforcement Officers and Harbor Patrol Officers are trained and armed law enforcement personnel, whereas lifeguards have no enforcement authority duties, and focus their attention on prevention, rescue, and emergency medical response. These differences in job duties and expectations result in differing labor negotiation issues for the water and ocean safety officers in the state.

The HLA strongly supports SB 2251, which would create a separate bargaining unit (15) for state and county ocean and water safety officers. Bargaining Unit 15 will more appropriately represent the unique employment issues related to the State of Hawaii's professional lifeguards.

Thank you for the opportunity to submit this testimony on SB 2251.

Sincerely,

A handwritten signature in dark ink, appearing to read "Ralph S. Goto", with a stylized flourish at the end.

Ralph S. Goto

For the Board of Directors

SB-2251

Submitted on: 1/30/2020 10:39:11 AM

Testimony for LCA on 1/30/2020 2:45:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Bryan Phillips	Individual	Support	No

Comments:

IN SUPPORT of SB 2251

BU 14 was created in 2013 which is composed of state law enforcement officers (LEOs) and Ocean Safety Officers/Lifeguards (OSO). The LEOs are armed officers who carry out law enforcement duties, serve warrants, make arrests, escort criminals and provide security for our state capital, airports and courthouses. The Hawaii Division of Conservation and Resources Enforcement (DOCARE) is tasked with full state police powers to enforce all state laws with their primary jurisdiction involving State lands, State Parks, historical sites, forest reserves, aquatic life and wildlife areas, and coastal zones.

OSOs provide ocean safety lifeguarding services for about 500 miles of coastline across the whole state. OSOs services include ocean rescue prevention, ocean rescue, emergency medical first response, dispatched mobile patrol, education, and injury prevention programs related to ocean safety.

I strongly support SB 2251 which amends bargaining unit 14 to be composed of state law enforcement officers and creates a new bargaining unit 15 to be composed of lifeguards. The creation of BU 15 will allow the highly trained and skilled LEOs and OSOs the ability to focus on the unique nature of their jobs through separate negotiations.

Mahalo nui loa,

BRYAN PHILLIPS