



Randy Perreira
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The Thirty-Second Legislature
House of Representatives
Committee on Labor & Government Operations

Testimony by
Hawaii State AFL-CIO

March 14, 2024

TESTIMONY ON SB2715 SD1 - RELATING TO UNFAIR LABOR PRACTICES

Chair Matayoshi, Vice Chair Garrett, and members of the committee:

The Hawaii State AFL-CIO is a federation of 74 affiliate labor organizations who represent over 68,000 union members within the State of Hawaii. The Hawaii State AFL-CIO serves its affiliates by advocating for workers and their families before the state legislature and other branches of state and county government.

The Hawaii State AFL-CIO is in **strong support** of SB2715 SD1, which would make it unlawful for an employer to discharge, discipline, or otherwise penalize or threaten any adverse employment action against an employee because the employee declines to attend or participate in an employer-sponsored meeting that communicates the opinion of the employer about political matters, or declines to receive or listen to a communication from the employer that communicates the opinion of the employer about political matters.

We commend the legislators who voted to pass and amend the bill, particularly for clarifying that these protections would extend to all employees, including those not covered under the definition of an "employee" under section 377-1 of the Hawaii Revised Statutes. This inclusive approach reinforces the importance of safeguarding employees' rights to free expression and autonomy in the workplace. In today's diverse and politically charged climate, it's essential to safeguard the rights of workers without fear of retribution or coercion from employers.

Respectfully submitted,

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

Randy Perreira
President



**International Union of Painters and Allied Trades
District Council 50**

**TO THE HOUSE COMMITTEE ON LABOR & GOVERNMENT OPERATIONS
THIRTY-SECOND LEGISLATURE
REGULAR SESSION OF 2024**

**TIME/DATE: THURSDAY, MARCH 14, 2024, 9:15 A.M.
CONFERENCE ROOM 309 & VIA VIDEOCONFERENCE STATE CAPITOL**

**TESTIMONY IN SUPPORT OF SENATE BILL NO. 2715, S.D. 1, - "TO RELATING TO
UNFAIR LABOR PRACTICES."**

**TO CHAIR MATAYOSHI AND MEMBERS OF THE HOUSE COMMITTEE ON LABOR
AND GOVERNMENT OPERATIONS:**

The International Union of Painters and Allied Trades, District Council 50 (DC50), appreciates the opportunity to provide testimony in **SUPPORT** of Senate Bill No. 2715, S.D. 1 – "RELATING TO UNFAIR LABOR PRACTICES." My name is Lorna Woo, Director of Government Affairs, District Council 50. DC50 is an organization that represents five (5) local unions, the Painters, Local Union 1791; the Glaziers Architectural and Glass Metal Workers, Local Union 1889; the Carpet Linoleum and Soft Tile, Local Union 1926; the Drywall, Tapers Finishers, Local Union 1944 and the Pearl Harbor Metal Trades Specialty Workers, Local Union 1941 – approximately 2000 members statewide.

This measure makes it unlawful for an employer to discharge, discipline, penalize or threaten an employee for declining to participate in an employer's meeting or receive communications from the employer about political matters. Employees should not be coerced into attending meetings nor be required to read their employer's opinions about political matters. Employers can abuse such "captive audience" tactics to sway employees into supporting positions or voting for persons adverse to their own person beliefs and/or rights.

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CARPET, LINOLEUM
AND SOFT TILE
808.942.3988

DRYWALL TAPERS,
FINISHERS
808.946.6621

We therefore urge you in the strongest terms to pass Senate Bill No. 2715, S.D.
1 "as is." Thank you again for this opportunity to voice our **STRONG SUPPORT** for this
measure.



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17th Floor
Honolulu, HI 96813

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NFIB.com

March 13, 2024

TO: Representative Scot Z. Matayoshi, Chair
Representative Andrew Takuya Garrett, Vice Chair
Members of the Committee on Labor
& Government Operations

FR: Michael Iosua, State Director
NFIB, Hawaii Chapter

RE: **COMMENTS** on SB 2715, SD1 – RELATING TO UNFAIR LABOR PRACTICES
Hearing date – March 14, 2024, at 9:15 AM

Aloha Chair Matayoshi, Vice Chair Garrett, and members of the committee,

Mahalo for the opportunity to provide comments on behalf of NFIB's Hawaii Chapter to SB 2715, SD1 – RELATING TO UNFAIR LABOR PRACTICES as currently drafted. NFIB is a nonprofit, nonpartisan, and member-driven organization exclusively dedicated to small and independent businesses. With members in all four counties, NFIB's Hawaii chapter advocates on issues that affect Hawaii's small and independent business owners.

SB 2715, SD1 would make it unlawful for an employer to penalize or threaten any adverse employment action against an employee if the employee does not participate in an employer-sponsored meeting regarding political matters, or declines to receive or listen to a communication from the employer that communicates the opinion of the employer about political matters.

While NFIB has no opposition to prohibiting required meetings on political or religious matters we do, however, oppose efforts to limit the employee's ability to hear from both employers and union representatives regarding joining or refraining to join a labor union. Such communication is currently protected under the National Labor Relations Act, which also prohibits an employer from acts of coercion, intimidation, or retaliation against an employee. Employers may also need to inform employees about policy issues affecting the company. We would suggest clarifying language to preserve this right. Mahalo for your consideration.



INTERNATIONAL LONGSHORE & WAREHOUSE UNION
LOCAL OFFICE • 451 ATKINSON DRIVE • HONOLULU, HAWAII 96814 • PHONE 949-4161

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MAUI COUNTY DIVISION: 896 Lower Main Street, Wailuku, Hawaii 96793 • **KAUAI DIVISION:** 4154 Hardy Street, Lihue, Hawaii 96766
HAWAII LONGSHORE DIVISION: 451 Atkinson Drive, Honolulu, Hawaii 96814

LOCAL 142

March 13, 2024

The Thirty-Second Legislature
Regular Session of 2024

HOUSE OF REPRESENTATIVES
Committee on Labor & Government Operations

Rep. Scot Z. Matayoshi, Chair
Rep. Andrew Takuya Garrett, Vice Chair
State Capitol, Conference Room 309 & Videoconference
Thursday, March 14, 2024; 9:15 a.m.

**STATEMENT OF THE ILWU LOCAL 142 ON SB2715, SD1 RELATING TO
UNFAIR LABOR PRACTICES**

I am writing on behalf of the International Longshore and Warehouse Union Local 142, which represents 16,000 members who live and work in Hawai'i. The ILWU Local 142 is in **STRONG SUPPORT** of Senate Bill 2715, which fortifies the existing Hawaii Revised Statutes (HRS) 377-6 pertaining to Unfair Labor Practices.

Notably, this legislation adds a provision (Section 14) that safeguards employees from adverse employment actions related to their participation in employer-sponsored meetings on political matters. This addition protects workers from coercive practices in the workplace and ensures their ability to engage in political activities on their own terms without fear of retaliation.

SB2715 addresses another issue not explicitly covered in HRS 377-6 by prohibiting employers from giving employment preference based on participation in a labor dispute. This provision (Section 13) is instrumental in protecting workers rights to fairly and legally address problems with their working conditions, which we consider a definitive collective value for the state of Hawai'i.

ILWU Local 142 believes that SB2715 not only strengthens the existing laws governing unfair labor practices but also brings it in line with the evolving needs and challenges of the workforce. We appreciate the legislature's dedication to safeguarding the rights of workers and creating an environment that fosters just and equitable labor relations.

Mahalo for the opportunity to testify in strong support of **SB2715, SD1**.

Christian West
President, ILWU Local 142





MAUI
CHAMBER OF COMMERCE
VOICE OF BUSINESS

LATE

**HEARING BEFORE THE HOUSE COMMITTEE ON LABOR & GOVERNMENT OPERATIONS
HAWAII STATE CAPITOL, HOUSE CONFERENCE ROOM 309
Thursday, March 14, 2024 AT 9:15 A.M.**

To The Honorable Scot Z. Matayoshi, Chair
The Honorable Rep. Andrew Takuya Garrett, Vice Chair
Members of the Committee on Labor & Government Operations

OPPOSE SB2715 SD1 RELATING TO UNFAIR LABOR PRACTICES

The Maui Chamber of Commerce is **OPPOSED** to **SB2715 SD1**.

We understand and appreciate the intent of this bill. We all agree that everyone has a right to their own political opinions and should not be penalized for that, but believe this bill has negative unintended consequences.

We are concerned that this bill goes above and beyond to limit employees from hearing from both employers and union representatives regarding unionization and the pros and cons of joining the union. We understand this is already protected by the National Labor Relations Act.

Additionally, this bill may go further than the intent to prohibit any political discussions in the workplace. If this bill passes, would an employee be able to leave the job while an owner and other employee are discussing politics in their presence? We can also think of other circumstances where an employer may bring up politics in a meeting on business/economic decisions, customer service, and more, where it is critical for an employee to attend.

For this reason, we **OPPOSE SB2715 SD1** and respectfully ask that it be deferred.

Sincerely,

Pamela Tumpap
President

To advance and promote a healthy economic environment for business, advocating for a responsive government and quality education, while preserving Maui's unique community characteristics.



LATE

**Testimony to the House Committee on Labor and Government Operations
Rep. Scot Z. Matayoshi, Chair
Rep. Andrew Garret, Vice Chair**

Thursday, March 14, 2024 at 9:15 AM

RE: SB2715 SD1 Relating to Unfair Labor Practices

Aloha Chair Matayoshi, Vice Chair Garret, and Members of the Committee:

The Society of Human Resource Management (SHRM) Hawaii appreciates the opportunity to provide comments about SB2715 SD1 Relating to Unfair Labor Practices, which seeks to protect employees who decline to attend or participate in employer-sponsored meetings that communicate the employer's political opinions or decline to receive or listen to an employer's communication about the employer's political opinions.

We support the intent of the measure to prevent retaliation against an employee who may not align with an employer's political viewpoints, however, the bill requires refinement to address potential unintended consequences.

The bill does not require an employee to continue their normal job duties and does not address the ability of the employer to discipline an employee who does not do so. Rather, it seems the bill would encourage litigation over whether the employer is disciplining the employee for the failure to participate in the employer's political rallies or simply taking the afternoon off while the others attend the rally.

Additionally, while employees have the right to their own political beliefs and opinions, employers also have the right to conduct business in a manner that aligns with their company values and goals. Employers must also be well-informed regarding political events and trends in order to make strategic decisions that are in the best interest of the company. This often requires employers to inform team members about political occurrences that influence company direction.



SHRM Hawaii, P. O. Box 3175, Honolulu, Hawaii (808) 447-1581

It is well-established that an employer cannot require an employee to condone or agree with a particular political viewpoint. Allowing employees to opt out of any meeting that may discuss political matters that are relevant to the strategic direction or viability of the overall organization, however, could lead to a lack of cohesion within the organization and hinder communication and decision-making processes.

Employers should have the ability to require attendance at such meetings to ensure that all employees are informed and engaged in discussions that may have an impact on the company. This would not require employees to conform to particular political viewpoints, rather, it would inform their understanding about the direction and priorities of the entire organization. This bill could potentially create disruptions in the workplace and compromise the efficiency and effectiveness of the organization.

Finally, this bill could have the unintended consequence of emboldening employees to refuse to attend standard employment anti-harassment training covering topics that have become increasingly politicized. Hawaii and federal antidiscrimination law prohibit harassment on the basis of sexual orientation and gender identity and expression, including transgender status. Employers must be able to ensure that all employees understand their obligations to refrain from engaging in harassment and discrimination on these bases. But given the current politicization of LGBTQ+ issues throughout the country, we are concerned that employees with negative views towards these protected classes will rely on legislation such as this proposed bill to refuse to attend this necessary training, claiming the employer is expressing political views in the form of training.

We appreciate and understand the intent of this bill to protect employees, however, we have concerns that this measure is not a reasonable or manageable approach for employers.

SHRM Hawaii serves and represents nearly 600 members and employers' statewide and human resource management is a critical component to the success and survival of the many businesses that make up our local economy. HR professionals are responsible for evaluating and balancing the needs of both the employers and employees and caring for businesses' most valuable asset: the working people of our state.

Thank you for this opportunity to provide testimony.

Rosanne Nolan
Legislative Affairs Committee Co-Chair

Erin Kogan
Legislative Affairs Committee Co-Chair



SHRM Hawaii, P. O. Box 3175, Honolulu, Hawaii (808) 447-1581



SHRM Hawaii, P. O. Box 3175, Honolulu, Hawaii (808) 447-1581

Chair Scot Matayoshi
Vice Chair Andrew Garrett

House Committee on Labor & Government Operations

Tuesday, March 14, 2024
9:15 AM

**TESTIMONY IN STRONG SUPPORT OF SB2715 SD1 RELATING TO UNFAIR
LABOR PRACTICES**

Aloha Chair Matayoshi, Vice Chair Garrett, Members of the House Committee on Labor & Government Operations,

My name is Jun Shin. I am a union service worker as well as a labor and social justice activist, testifying as an individual in **STRONG SUPPORT** of **SB2715 SD1**, Relating to Unfair Labor Practices.

All workers shouldn't have to lose their jobs (their livelihoods!) or have said jobs become more difficult/frustrating because we don't agree with, just aren't interested, or are simply too busy to listen to our employer's opinions on the issues, which candidate to vote for in an election, or their opposition to a union organizing drive. Working people should have the right to independently express themselves politically and/or to organize a union, without having to experience repercussions at work.

Worker's civil, constitutional, and organizing rights should be protected in the place that they spend most of their lives in. Please **PASS Senate Bill 2715 Senate Draft 1** out of your committee.

Mahalo for the opportunity to testify,

Jun Shin,
State House District 23 | State Senate District 12
Cell: 808-255-6663
Email: junshinbusiness729@gmail.com

SB-2715-SD-1

Submitted on: 3/12/2024 10:52:41 AM

Testimony for LGO on 3/14/2024 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
jose miramontes jr	Individual	Support	Written Testimony Only

Comments:

I am in full support of this bill

SB-2715-SD-1

Submitted on: 3/12/2024 11:04:42 AM

Testimony for LGO on 3/14/2024 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Herman J Perreira III	Individual	Support	Written Testimony Only

Comments:

In strong support of this bill.

SB-2715-SD-1

Submitted on: 3/12/2024 11:17:24 AM

Testimony for LGO on 3/14/2024 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Elijah Gambol	Individual	Support	Written Testimony Only

Comments:

In strong support of SB2715

SB-2715-SD-1

Submitted on: 3/12/2024 11:19:03 AM

Testimony for LGO on 3/14/2024 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Lisa Goo	Individual	Support	Written Testimony Only

Comments:

I support

SB-2715-SD-1

Submitted on: 3/12/2024 11:26:53 AM

Testimony for LGO on 3/14/2024 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Luke Shinsato	Individual	Support	Written Testimony Only

Comments:

I support

SB-2715-SD-1

Submitted on: 3/12/2024 11:49:17 AM

Testimony for LGO on 3/14/2024 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Robert Hewlen	Individual	Support	Written Testimony Only

Comments:

Strongly Support

SB-2715-SD-1

Submitted on: 3/12/2024 11:53:54 AM

Testimony for LGO on 3/14/2024 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Anabel Cardenas	Individual	Support	Written Testimony Only

Comments:

In strong support of SB2715

SB-2715-SD-1

Submitted on: 3/12/2024 12:02:38 PM

Testimony for LGO on 3/14/2024 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Collin Mansanas	Individual	Support	Written Testimony Only

Comments:

In strong support of SB2715

SB-2715-SD-1

Submitted on: 3/12/2024 12:03:25 PM

Testimony for LGO on 3/14/2024 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Janine Tsukayama-Hirakawa	Individual	Support	Written Testimony Only

Comments:

In strong support of SB2715

SB-2715-SD-1

Submitted on: 3/12/2024 12:05:05 PM

Testimony for LGO on 3/14/2024 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
B. Hansen	Individual	Support	Written Testimony Only

Comments:

I Strongly Support SB2715! Individuals should be free from pressure to conform to their employer's political views. No employee should face punishment for disagreeing with their employer's political opinions. Forced attendance at opinion based political meetings can create an uncomfortable and potentially hostile work environment.

SB-2715-SD-1

Submitted on: 3/12/2024 12:14:33 PM

Testimony for LGO on 3/14/2024 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Kiana Regets	Individual	Support	Written Testimony Only

Comments:

My name is Kiana Regets and I support this bill. Employers should not be able to punish or reprimand an employee because the employer is trying to discuss, impose, or force people to listen their political opinions. If the employee is not wanting to receive this information that should be allowed. It is not ethical to force your political opinions onto your employees and to punish them if they do not receive the information the way you want them to.

SB-2715-SD-1

Submitted on: 3/12/2024 12:16:55 PM

Testimony for LGO on 3/14/2024 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Michael Yamaguchi	Individual	Support	Written Testimony Only

Comments:

I support SB2715.

Thank you.

SB-2715-SD-1

Submitted on: 3/12/2024 12:24:50 PM

Testimony for LGO on 3/14/2024 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Neill Amasaki	Individual	Support	Written Testimony Only

Comments:

I support this bill.

SB-2715-SD-1

Submitted on: 3/12/2024 12:44:04 PM

Testimony for LGO on 3/14/2024 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Grant Kawamoto	Individual	Support	Written Testimony Only

Comments:

In strong support of bill SB2715

SB-2715-SD-1

Submitted on: 3/12/2024 12:52:03 PM

Testimony for LGO on 3/14/2024 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
jeffery Robert Ramos	Individual	Support	Written Testimony Only

Comments:

Strongly support SB2715

SB-2715-SD-1

Submitted on: 3/12/2024 1:27:31 PM

Testimony for LGO on 3/14/2024 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Jo Anne Trask	Individual	Support	Written Testimony Only

Comments:

I strongly support SB2715 RELATING TO UNFAIR LABOR PRACTICES.

SB-2715-SD-1

Submitted on: 3/12/2024 2:07:29 PM

Testimony for LGO on 3/14/2024 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Corin kekua	Individual	Support	Written Testimony Only

Comments:

I support this bill that protects workers rights.

SB-2715-SD-1

Submitted on: 3/12/2024 3:50:19 PM

Testimony for LGO on 3/14/2024 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Jimmy Barreras	Individual	Support	Written Testimony Only

Comments:

In strong support of SB2715

SB-2715-SD-1

Submitted on: 3/12/2024 7:00:57 PM

Testimony for LGO on 3/14/2024 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Belinda Ayson	Individual	Support	Written Testimony Only

Comments:

if an employer is doing unlawful practice and are called out on it they cannot punish the employee for it. IF they did wrong they need to be accountable and not take it out on employees.

SB-2715-SD-1

Submitted on: 3/12/2024 7:13:57 PM

Testimony for LGO on 3/14/2024 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Jerry Calixtro	Individual	Support	Written Testimony Only

Comments:

In strong support of SB2715

SB-2715-SD-1

Submitted on: 3/12/2024 7:54:36 PM

Testimony for LGO on 3/14/2024 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Aitulagi E. Ala	Individual	Support	Written Testimony Only

Comments:

I SUPPORT this Bill.

Employees should not be forced or coerced into attending any Political affiliated meeting disguised as JobTraining, Industry Convention or Department Meeting or Training or Onboarding Video. Also, Employers should not be allowed to use said Employment to push political agendas onto New Hires/Transfers and/or Current Employees in order to keep employment or qualify for promotion or access Pension or wages.

Furthermore, Employers must NOT be permitted to terminate, dismiss, reprimand Employees who do not attend such meeting.

This Agenda will be no different than Employer forcing Religious Beliefs and Practices onto Employee who does not know, understand or practice said Religion.

SB-2715-SD-1

Submitted on: 3/13/2024 6:00:43 AM

Testimony for LGO on 3/14/2024 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Dillon Hullinger	Individual	Support	Written Testimony Only

Comments:

I am in strong support of this bill.

SB-2715-SD-1

Submitted on: 3/13/2024 12:47:46 PM

Testimony for LGO on 3/14/2024 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Kamalamalamaonalani Mann	Individual	Support	Written Testimony Only

Comments:

In strong support of SB2715