



**HAWAII GOVERNMENT EMPLOYEES ASSOCIATION**  
AFSCME Local 152, AFL-CIO

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The Thirty-First Legislature, State of Hawaii  
The Senate  
Committee on Government Operations  
Committee on Labor, Culture and the Arts

Testimony by  
Hawaii Government Employees Association  
March 25, 2021

**S.C.R. 222/S.R. 182 – URGING THE LEGISLATIVE REFERENCE BUREAU TO  
CONDUCT A STUDY ON THE BEST PRACTICES FOR TELEWORK**

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO strongly supports the concept of telework for willing and able state employees **and provides comments and proposed amendments on the intent of S.C.R. 222 and S.R. 182** which urges the Legislative Reference Bureau to conduct a study on the best practices for telework and alternative work schedules, including policies, guidelines, standards, and procedures, to be adopted and implemented by government executive agencies, businesses, and non-profit organizations. **We continue to stress to the Legislature that since telework and alternative schedules significantly impact an employee's condition of employment, the terms must be negotiated and mutually agreed upon.**

First and foremost, we are actively engaging the Employer to update and enhance our existing telework agreements, therefore inclusion of the local government workforce who are represented by our collective bargaining agreements into this resolution is unnecessary. As we have consistently stated, telework and alternative work schedules are innovative solutions that ensure workplace flexibility and we fully recognize the many benefits they can have on employees, the employer, and the public, including a better work-life balance, increased productivity, and possible cost-savings from reduced energy and office space use. Workplace flexibility can also be utilized as a tool to help the employer recruit and retain the best and brightest employees, where government salary and benefits alone may not compete with what's offered in the private sector.

Although we understand the intent of the resolution is to urge the Legislative Reference Bureau (LRB) to conduct a study on the best practices for telework and alternative work schedules, we must continue to reiterate that any changes to an included bargaining unit employee's wages, hours, and terms and conditions of work are constitutionally protected and must be negotiated and mutually agreed upon prior to implementation. Regardless of LRB's study, policies, guidelines, standards, and procedures, the Employer and the Exclusive Representative must mutually agree upon the provisions of any telework or alternative work week agreement. **Therefore, we respectfully request the following six (6) amendments to S.C.R. 222 and S.R. 182:**

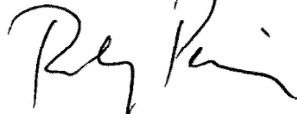
1. the modification to the title and applicable "whereas" and "resolved" clauses to read and reflect the following intent:

“Urging the Legislative Reference Bureau to conduct a study on the best practices for telework and alternative work schedules, including policies, guidelines, standards, and procedures, to be ~~[adopted and implemented by]~~ shared with government executive agencies, businesses, and non-profit organizations”

2. the insertion of a new “whereas” clause be inserted on page 2, line 33 to ensure clarity and consistency on the negotiations process between local government and Exclusive Representatives:  
“Whereas, the legislature further finds that telework and alternative work week schedules affect government employees’ wages, hours, and terms and conditions of work and are constitutionally protected, therefore subject to mandatory collective bargaining negotiations and mutual agreement between the employer and the exclusive representative; now therefore ...”
3. the deletion of (5) on page 4, lines 1 and 2 which deals exclusively with the use of state information technology assets
4. the addition of language to the “resolved” clause on page 4, lines 16 – 19 to clarify that should the LRB report include proposed legislation, that public sector bargaining unit employees be excluded from any legislation or legislative mandate due to the negotiability of telework and alternative work week schedules
5. the uniformity between the two “resolved” clause on page 4, lines 25 – 29 and 31 – 35 so that it is clear the intent of the resolution is to encourage the development and implementation of telework for all employees in the state and not separate government employees from the private and non-profit sectors
6. the inclusion of additional parties who will receive certified copies of the Concurrent Resolution such as the Hawaii Employers Council, the Chamber of Commerce of Hawaii, the Society for Human Resources Management (SHRM) Hawaii, the Hawaii Alliance of Non-Profit Organizations, and all non-profit organizations who have sought Grant-in-Aid funding from the state for the past 5 years, in addition to the government agencies listed

Thank you for the opportunity to testify on S.C.R. 222 and S.R. 182.

Respectfully submitted,



Randy Perreira, Executive Director