

TESTIMONY

HB 1479 HD2

March 19, 2009

To: The Honorable Dwight Takamine, Chair
And members of the Labor Committee

Date: March 19, 2009
Time: 2:45 pm
Place: Conference room 224
State Capitol

From: Myles Miyasato Big Island Representative
Operating Engineers Union Stabilization

Re: H.B. 1479 HD 2

I would like to speak in support of the purpose and intent of HB 1479 HD 2. This bill will keep our public monies accountable and be available for public records as it should be. Presently all that is required is a check mark in a box to state that you are in compliance with the payment of fringe benefit wages. Only the hourly wages are listed as itemized payments to prove compliance.

Just as a note I would like to mention that I do prefer the current draft of the companion bill S.B. 1181 S.D. 2.

The current fringe wages for our trade is \$22.13 an hour which comes out to \$885.20 per week in fringes only. If employers are using this for state required benefits which are not eligible this gives them a huge advantage in the bidding process.

I have had employees call me after being released from employment and not receiving any information about their supposed pension that the employer had been contributing into. Because there is no public record I cannot help them and can only tell them to go to the labor board and file a complaint. The problem is they are afraid to do this because they know there will be no chance for future employment with that company. So if there are no complaints the labor department feels there is no problem with the current rules.

According to Administrative Rules 12-22-1 cost of a fringe benefit means the rate of contribution irrevocably made by a contractor to a trustee or to a third person pursuant to a fund, plan, or program in providing benefits. Irrevocable would mean that there is no possibility for proprietary infringement. This is the employees money not the employer.

I urge the committee to pass H.B. 1479 HD 2. Thank you for this opportunity to testify.

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GCA of Hawaii

GENERAL CONTRACTORS ASSOCIATION OF HAWAII

Quality People. Quality Projects.

March 17, 2009

TO: THE HONORABLE SENATOR DWIGHT Y. TAKAMINE, CHAIR AND
MEMBERS OF COMMITTEE ON LABOR

SUBJECT: H.B. 1479, HD2, RELATING TO LABOR

NOTICE OF HEARING

DATE: Thursday, March 19, 2009
TIME: 2:45 p.m.
PLACE: Conference Room 224

Dear Chair Takamine and Committee Members:

The General Contractors Association of Hawaii (GCA), an organization comprised of over five hundred and sixty (560) general contractors, subcontractors, and construction related firms, **supports** the passage of H.B. 1479, HD2, Relating to Labor.

The bill as amended will require the general contractor and subcontractor to submit an itemized list of fringe benefits that are paid to each employee. Currently, the fringe benefits are reported as a total dollar amount, which makes it difficult for the DLIR to determine if the total fringe benefit reported is actually fringe benefits.

Passage of this bill will enable the DLIR to quickly determine if the correct fringe benefits are being paid as part of the prevailing wage.

The GCA supports the passage of H.B.1479 HD2, and recommends its passage.

Thank you for the opportunity to provide our views on this issue.

Testimony In **SUPPORT**
of **HB 1479 HD2**
Relating to Labor

By Al Lardizabal, Director
Government Relations
Laborers International Union of North America, Local 368

To the Committee on Labor
Thursday, March 19, 2009
2:45 p.m., Room 224

Honorable Dwight Y. Takamine, Chair; Honorable Brian T. Taniguchi, Vice
Chair and Members of the Committee:

This measure requires the certified copy of payroll that is submitted to the governmental contracting agency, include an itemized list of fringe benefit costs paid for each employee by the general contractor or subcontractor to laborers and mechanics on public works projects.

The Laborers' Union supports this bill.

Thank you for the opportunity to submit this testimony.