

ILWU Local 142
451 Atkinson Drive
Honolulu, Hawaii
January 2005

2005 ILWU LEGISLATIVE PROGRAM

THE ECONOMY

Tourism

1. Support adequate funding for promotion of tourism statewide, especially including funding for promotion of particular neighbor island destinations.
2. Promote compliance with fair labor and employment standards within the tourism industry. No government assistance and/or funds to any hotel or resort; hotel, condominium rental or timeshare operator, including multi-property operators; or any owner of a property or resort that is in violation of such labor or employment standards.

Agriculture

3. Support legislation, programs and funding to keep the sugar industry viable.

Support continued funding for sugar research including diversifying cane products and potential complimentary activities such as diversified agriculture and aquaculture.

Oppose any ban on cane burning, which continues to be a viable method to harvest sugar cane.

Support use of locally produced molasses as feedstock for ethanol production before importation of feedstock.

4. Support promotion monies and protection for pineapple, coffee, papaya, guava, macadamia nuts and other diversified agricultural products. Support diversified agriculture with financing for research and marketing, packing facilities, low interest loan programs, etc. Finance research to address papaya ring spot and black ring virus.
5. Support agricultural water development for farmers and ranchers, such as in Ka'u and Waimea on the Big Island. Support preservation and maintenance and repair of existing water systems.

For example, support the issuance of long-term leases for East Maui Irrigation (EMI). The water is critical to the ongoing operation of HC&S; portions of the water already go to the County of Maui and the Kula farmers. EMI is the only company able to manage and maintain the system, including numerous water tunnels.

Waterfront

6. Support the working waterfront. Any waterfront development must ensure the continued safety and viability of the ongoing operations of the existing maritime activities in the Honolulu Harbor area and all other ports.

Improve and enlarge neighbor island port facilities for passenger ships; State should move forward with construction of cruise ship facilities which are part of the Department of Transportation master plan.

Oppose privatization of harbor facilities.

Oppose state exchange of harbor area lands.

Oppose punitive background checks of longshore workers.

Hawaii Industries

7. Mandate purchase of locally grown produce for state facilities. Encourage use of local companies for state contracts for products and services except where the local companies do not have the required expertise, equipment or capacity.
8. Support “Buy Hawaii First” programs and encourage incentives for local manufacturing industries and retailers.

Promote product labeling for goods and products made in Hawaii.

Require proper labeling of frozen and thawed bread from outside of Hawaii to promote “fresh” products from Hawaii.

9. Oppose the use of “prison labor” that effectively competes with the private sector.

New Economic Activity

10. Support necessary infrastructure to keep existing industries viable and to encourage the development of permanent, “export” industries. Develop incentives to encourage new industries which result in a net increase of full-time jobs that pay a living wage.
11. Initiate funding and tax incentives to bring other industries to rural communities for dislocated agricultural workers.
12. Support legislation ensuring that state subsidies are spent wisely by requiring assessment of the cost effectiveness of tax incentive programs. If promised outcomes are not delivered, subsidies should be refunded to the State.

13. Legalize gambling by county-by-county authorization, but by referendum in the affected county and with regulation and oversight by a State commission.

EMPLOYMENT AND EMPLOYEE RIGHTS

Worker Rights and Benefits

14. Support the continued protection and maintenance of the existing "presumption clause" in the Workers' Compensation Law either through legislation or by rule making. Oppose reduction of injured workers' rights and benefits.

Establish a package of Workers' Compensation benefit improvements in the interest of fairness to injured workers.

Oppose further legislation that seeks to "repeal" the Mitchell decision of the Hawaii Supreme Court, which did not affirm workers' compensation benefits for stress resulting from discipline.

Oppose any further legislation that seeks to establish mandatory coordinated care which would reduce workers' compensation medical benefits or take away rights, such as physician choice.

Oppose repeal of Act 67 which provides fair compensation for all injured workers.

Oppose any repeal of Workers' Compensation related third-party suits.

Amend statute to provide wage replacement (at the established rate and maximum) for lost wages due to necessity of physical therapy or follow up doctor's appointments after return to work.

Amend statute to provide for Disability payments based on the claimant's current earnings with no cap on the amount.

Amend the statute to eliminate the three-day waiting period for Temporary Total Disability payments.

Provide that injured workers continue to receive workers compensation benefits during the period that their claim is under appeal. Provide for timely payments when a claim is made.

Provide that if an injured worker is denied compensability and then wins compensability on appeal, the cost of the appeal will be paid for by the insurance carrier.

Address problem of physicians declining to treat workers compensation cases because of paper work and the medical fee schedule.

15. Improve Hawaii's Dislocated Worker Act by closing a loophole that allows an employer to avoid the intent of the law to give notice by temporarily laying off employees or offering "no work" during the notice period.

16. Support legislation to protect workers' jobs and employment when companies are bought out, ownership transferred, management changes or assets sold and the business continues operation in a similar mode as under the previous owner.
17. Support the basic intent of unemployment insurance program to provide income to workers when they have no employment.

Support the maintenance of adequate reserve in the State Unemployment Insurance Fund to provide for times of increased need. Support extended unemployment benefits when an economic downturn is prolonged.

Amend law to provide benefits to workers "locked out" of their jobs by their employer.

Restore unemployment benefit qualification after three months irrespective of the reason for termination.

Return to the broader coverage for unemployment insurance to provide for workers when they have no employment, particularly in cases where workers are discharged due to a "no-fault" absentee policy or when management forces or requires employees to quit (constructive discharge).

Prohibit denial of UI eligibility for those who refuse jobs for which they have insufficient skills or training.

Allow UI beneficiaries not to have their benefit amount reduced because of continued pre-existing earnings (prior to their unemployed or partial unemployed status).

18. Continued strong support of Hawaii's Prepaid Health Coverage Act (employment based mandated health insurance coverage). Enforcement of compliance must be implemented.
19. Continued support of enforcement of workplace safety laws and regulations. Increase staff for needed enforcement and training.
20. Amend Temporary Disability Insurance Law to allow employers providing sick leave plans in lieu of providing TDI to reserve for employee use only the number of days to meet the minimum equivalency requirements under the TDI law, enabling any sick leave or accumulated sick leave exceeding the minimum to be available for family leave purposes.
21. Maintain the "little" Davis-Bacon Act (the State of Hawaii version of the federal Davis-Bacon Act).
22. Support the establishment of a "little" Service Contract Act (a State of Hawaii version of the federal Service Contract Act).
23. Support an increase in the minimum wage; Oppose increase in the tip credit.

24. Provide for fair methods under the Hawaii Labor Relations Board to determine representational rights for workers.
25. Provide for labor neutrality (cannot favor or oppose worker organizing) for any contractor receiving state or county funds or any other support (i.e. tax break, etc.).
26. Support legislation to provide for workers' representation rights in developments in which the State or Counties have an ongoing proprietary interest.
27. Support project labor agreements for state construction projects.
28. Oppose privatization when intent or result is loss of employment for current employees or loss of representation for the workers. Support legislation to which provides for continued employment of existing workforce, maintenance of compensation level, benefits and working conditions and for continued collective bargaining representation for the workers.
29. Support a State "living wage" legislation mandating payment of a "living wage" to workers under government contract.
30. Protect collective bargaining rights for private sector employees.
31. Prohibit the State of Hawaii from doing business with or contracting with any foreign company or corporation convicted of bribery, bid rigging or other such specified offenses.
32. Oppose defining any worker as an "independent contractor" by legislation.
33. Strong opposition to any so-called "right -to-work" legislation which allows free-riding by bargaining unit employees. Support mandatory "union security" language in union collective bargaining agreements.
34. Oppose legislation restricting the use of union dues in the interest of members (oppose "pay check protection" type legislation).
35. Support legislation to provide for labor dispute picketing at malls/shopping centers and hotels/resorts in areas accessible to the general public, but only at entrances and exits of employers directly involved.
36. Support legislation prohibiting discipline of employees for legitimate use of sick leave.

Employment and Training

37. Support full employment at a living wage. Explore ways to discourage trend towards more "under-employed" workers unable to earn a livelihood. Discourage any employment practices designed to avoid coverage of workers under protective benefit laws.

38. Support legislation to assist workers and communities hurt by the curtailment of business operations in the State.

Support additional funding for job training for displaced, unemployed and under-employed workers.

HEALTH CARE AND SOCIAL SERVICES

39. Continue funding for human and social services programs to meet the needs of the less fortunate throughout the State. Also, appropriate adequate funds to be provided to cope with mental health and social problems resulting from economic dislocation.
40. Support the development and adequate funding of programs for child care, elder care, and other similar care needs. Support state-funded program for long-term care.
41. Support full implementation of the “Hawaii Rx Plus” law to lower the cost of prescription drugs for Hawaii residents through discounts and rebates from pharmaceutical manufacturers.
42. Oppose measures using welfare recipients and “work experience” trainees to displace current public or private sector workers or to encourage or subsidize the replacement of existing workers.
43. Support the State Medicaid and QUEST programs with adequate funding.
44. Support of legislation and funding (if necessary) to provide for health insurance coverage or access to health care for all of Hawaii’s people. Require employers to be subject to the Prepaid Health Care Act if no benefits are provided under collective bargaining agreements to otherwise qualified employees.
45. Explore ways and means to reduce health care costs and medical insurance premiums.
46. Support funding to ensure the delivery of good health care to rural areas of the State. General support of a statewide hospital system.
47. Continued support of legislation to protect against physical, mental and financial abuse and neglect of the elderly by family members and other caregivers.

HOUSING

48. Support state programs to deliver affordable housing to low-and moderate income families and individuals through grants and subsidies.
49. Support funding to provide lower cost financing for moderate income home buyers.
50. Support legislation and funding to pursue low-cost housing programs (home ownership, low cost rentals) for residents of employee plantation housing.

EDUCATION

Primary and Secondary Education

51. Support for the integrated, statewide school system that ensures equalization of opportunity in education, especially for rural Oahu and the neighbor islands.
52. Support the full implementation of the Reinventing Education Act of 2004.
53. Oppose school voucher programs.
54. Oppose any ballot measure to breakup the elected statewide school board.
55. Support implementation of incentives (including teacher housing) to reduce teacher turnover in rural areas.
56. Initiate funding for additional support personnel in schools with a large percentage of “at risk” students. Support programs for social assistance and help in the schools (i.e. drug awareness, teen pregnancy prevention, family crisis intervention, etc.).
57. Support implementation (including financial assistance) of universal early childhood education that promotes child care and optimal educational nurturing during the child’s first five years.
58. Continue funding for class size reduction at the elementary level.
59. Support adequate funding of the A+ program for elementary school age children.
60. Support education about labor unions, job rights (labor laws), and labor history in public schools.
61. Support legislation to provide for leave from work for parent-teacher conferences.
62. Support State and County cooperation to build covered bus stops, where feasible, for students using the State school bus system.

Support state bus service for sports programs for rural schools.
63. Support making state land available to facilitate “hands-on” training and education for students with an interest in agricultural careers.
64. Support adequate funding for capital improvements based on a priority for permanent buildings.

Support upgrading of electrical systems in schools to support increased numbers of computers in schools. Support hardwiring of classrooms for computers.

65. Support air-conditioning of all public school classrooms.

66. Provide for secure and safe school environments.

Higher Education and Hawaii History

67. Support public higher education to ensure the priority of serving students, especially undergraduate instruction and career counseling.

68. Continued support of the Center for Labor Education and Research. Provide for sufficient funding and adequate permanent staffing.

Support for funding of labor related television programming.

69. Support funding for preservation of Hawaii's film and video historical resources.

Support of Ethnic Studies and oral history research and education.

70. Establish a four-year college on Maui.

CIVIL LIBERTIES AND SOCIAL CONCERNS

71. Oppose capital punishment.

72. Oppose invasion of privacy. Support legislation providing necessary safeguards and protections (and bans in certain instances) from unnecessary intrusions on privacy (i.e. lie detector tests, genetic testing, search and seizure, pre-employment and current employment drug testing, etc.).

73. Reaffirmation of support for personal choice in reproductive decisions.

74. Protect "free speech" access to shopping malls, resorts and other similar "quasi-public" facilities for distribution of information.

75. Support legislation to protect homeowners from "predatory lending" practices.

TAXATION

76. Support continuation of centralized taxation authority by the State. Support necessary grant-in-aid to the counties to provide for needed services in a manner that will allow the counties some certainty for budget purposes.

77. Oppose increase of General Excise Tax (GET).

78. Support of reductions of corporate income tax and franchise tax with the condition that any savings by the company be used for employee benefits.

79. Charge the TAT on the retail price of a hotel room rather than the discounted wholesaler price. Charge timeshare units the equivalent amount of the TAT.
80. Exempt local residents from payment of the TAT and the tax on car rentals.

TRANSPORTATION

81. Support continued protection of the Jones Act and the Passenger Service Act.
82. Continued opposition to deregulation of the trucking industry. Support for PUC oversight and jurisdiction of trucking industry regulations.
83. Monitor implementation of a system, especially for the neighbor islands, to effectively address the high price of gasoline.

LAND USE, PLANNING AND WATER

84. Retain the jurisdiction of the State Land Use Commission and to promote a more comprehensive statewide program of land use regulations for agricultural districts.
85. Support the planning process in making land use decisions; opposition to "zoning by initiative." General support of "law making" by the legislative process.
86. Support legislation to revoke land use and planning approvals for developments which fail to comply with approved timetables.
87. Support preservation of important agricultural lands. Support protection of certain agricultural practices and development of incentives so that the land will be farmed. Support making available adequate water to facilitate farming.
88. Appropriate funding for flood prevention.
89. Support the intent and purpose of the State Commission on Water Resource Management and necessary funding to protect and enhance Hawaii's water resources.
90. Allow for public right-of-way/access to the ocean and mountains throughout the State. Perpetuate existing right-of-ways when private land changes ownership.

ENVIRONMENT

91. Oppose the storage of high level nuclear waste in the Pacific. Support clarification of problems connected with storage of nuclear weapons in certain areas of the State.
92. Support State commitment to protect watersheds. Support of State/private partnership to encourage private land owners to protect key resources on their lands, including watersheds.

Where possible, develop programs to protect certain Hawaii stream systems or portions of stream systems as "pristine", while recognizing existing consumptive uses of water.

93. Expand zone in which collection of "aquarium" reef fish from Hawaii waters is banned.
94. Continue to encourage use of solar energy, such as for water heaters, by way of a tax credit.
95. Promotion of new and maintenance of existing alternate energy programs, including development of new sources of biomass. Support development of a Hawaii ethanol industry.

CULTURE AND THE ARTS

96. Continued support of the Honolulu Symphony.
97. Encourage culture and arts and performing arts programs that enhance the lives of the people of the State of Hawaii.

LIFESTYLE

98. Support state promotion of management of game birds and game animals. Support maintenance of hunting areas statewide, especially where hunting is for the subsistence of families.