

# Chamber's appeal unheeded

## THE CHAMBER VIEW

by Pamela Tumpap



On July 14, Gov. Linda Lingle continued to help by vetoing several bills that hurt the business sec-

tor, including:

• **HB952 HD1 SD2 CD1 RELATING TO LABOR** (aka the "card check" bill) — Removes the right of workers to vote by secret ballot regarding whether or not they want to join a union, eliminating one of the most fundamental and valued democratic principles: the secret ballot. Also mandates timelines for collective bargaining and gives employees, but not employers, the ability to recover attorneys' fees and costs in prohibitive practice complaints.

• **SB695 SD1 HD1 CD1 RELATING TO WORKERS' COMPENSATION** — Requires employers to continue paying for workers' compensation medical care after it has been determined that continued treatments are inappropriate or excessive, or an independent physician has determined the employee is ready to return to work.

• **HB31 SD1 CD1 RELATING TO EMPLOYMENT PRACTICES** — Creates a new restriction on employers that prevents them from being able to inquire into an individual's credit history for employment purposes. If enacted, this bill has the potential to jeopardize an employer's ability to

protect safety and financial security in the workplace.

• **HB1479 HD2 SD1 CD1 RELATING TO LABOR** — Places an undue burden on contractors by requiring them to submit a fringe-benefit reporting form to the Department of Labor and Industrial Relations for both union and nonunion workers working on public-works contracts. Contractors already must comply with all applicable laws for doing business with the state, and this bill imposes on them an unnecessary burden that has no public benefit.

• **HB1676 HD1 SD2 CD1 RELATING TO PUBLIC WORKS** — Inappropriately requires the Department of Labor and Industrial Relations to enforce private collective bargaining agreements covering workers on public works projects financed through special-purpose revenue bonds. Grievances related to collective bargaining agreements should be addressed through the Hawaii Labor Relations Board or the National Labor Relations Board, not the department of labor.

See <http://hawaii.gov/gov/initiatives/veto> for information on bills vetoed this session.

While each of the above gives rise to concern and the chamber agrees with these vetoes, two bills — HB952, the card check bill, and SB695, regarding workers' compensation — are priorities. Both are old measures that passed and were killed last session, but brought back by lawmakers this year. We opposed these bills, along with other chambers and businesses statewide

throughout the legislative session.

We also provided information to our members and the community on these bills and asked people to contact state legislators with their concerns. However, people are busy running their business and surviving, which we fully understand.

Last week, we represented businesses on these issues, along with other organizations statewide, walking around the state Capitol with 130 businesspeople who shared business concerns and requested that lawmakers not override the governor's vetoes of these critical measures.

On July 15, as members of the Legislature prepared to convene, review the governor's vetoes and discuss overrides, we also sent all state lawmakers two separate e-mails.

The first asked them to stop bills that hurt and not override the governor's veto of the card check bill and SB695, and shared our recent survey results on these initiatives.

Of 118 Maui Chamber of Commerce members who responded to the card check bill issue in our survey, 115 (97 percent) requested that legislators not override the governor's veto of this bill.

A few of the comments received from members were shared with legislators. While those shown were milder in nature, we explained that particularly strong comments were provided that expressed a real frustration by businesses that feel this bill is appalling, since it would take away a worker's right to a secret ballot vote; is

unbalanced, giving labor organizations an unfair advantage; and is an example of legislators not listening to the business sector and implementing harmful legislation.

On SB 695 relating to workers' compensation, 119 members rang in and 116 respondents (97 percent) oppose workers' compensation bills that increase the cost of doing business. They asked legislators not to override the governor's veto.

Our second e-mail shared survey results of how businesses are faring in these challenging economic times. We highlighted the fact that of the 130 Maui businesses that participated in the survey, 83 percent are down from last year, with 28 percent of these businesses down 21 to 40 percent and 22 percent down a staggering 41 percent or more. We also encouraged legislators to pay particular attention to what business owners have had to risk to have a business and employ themselves and others, with 42 percent having their homes on the line and all risking more than one asset. Further, we noted that layoffs have jumped dramatically from 19 percent in February to 29 percent in June.

We opposed these bills down to the wire, but the Legislature overrode the governor's vetoes. However, our advocacy on business issues continues as we focus our attention on the financial crisis, economic recovery and job creation.

■ *Pamela Tumpap is president of the Maui Chamber of Commerce.*