



# UNIVERSITY OF HAWAII SYSTEM

## Legislative Testimony

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Testimony Presented Before the  
Senate Committee on Ways and Means  
April 4, 2018 at 10:30 a.m.

By  
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HB 1585 HD1 SD1 – RELATING TO THE UNIVERSITY OF HAWAII

Chair Dela Cruz, Vice Chair Keith-Agaran, and members of the committee:

Thank you for the opportunity to submit testimony on this measure. The University of Hawai'i ("University") supports Part I and strongly opposes Part II of HB 1585 HD1 SD1. Part I appropriates general funds for project funded staff positions for capital improvement program projects. Part II requires UH employees who hold administrative positions and earn more than \$150,000 annually to be employed under an employment contract by July 1, 2018.

### PART I

The University acknowledges the need for project staff support of its capital improvement projects and repair and maintenance projects. More specifically, the University requests 7 positions and \$539,000 in general funds to improve the level of repair and maintenance service provided by the facilities team on the Mānoa campus.

The main Mānoa campus has 7.9 million gross square feet and 137 acres to maintain on a daily basis. To assist with this massive undertaking, the campus believes that establishing zones within the campus is the most efficient way of handling all related work orders and facility needs. The primary role of the zone managers would be a qualified liaison between the building occupants and the Facilities Offices.

This request will support the establishment of zone managers, who will be qualified personnel that can timely and properly assess immediate facility needs and coordinate repair and maintenance work with the appropriate facilities staff. This will ensure the appropriate prioritization of health and safety work. Additionally, multiple work orders for a certain facility may be symptomatic of larger structural issues. Having an on-site, qualified technicians dealing with such recurring matters will allow the University to comprehensively assess the true nature of a problem in a timely fashion.

Based on the foregoing, the University supports Part I of this measure.

## PART II

The University strongly opposes Part II of this measure which requires UH employees who hold administrative positions and earn more than \$150,000 annually to be employed under an employment contract by July 1, 2018. Currently, all Executive and Managerial (“E/M”) employees are at-will and serve at the pleasure of the President – very similar to Directors and Deputy Directors of the Executive Branch who serve at the pleasure of the Governor.

This measure requires employment contracts for all E/M employees that earn more than \$150,000 annually. Such a requirement will establish a contractual right to employment, where none existed. Likewise, terminating said employment can only occur in accordance with the terms of the employment contract, which is subject to negotiation and interpretation. This increases the likelihood of breach of contract lawsuits.

Based on the foregoing, the University strongly opposes Part II of this measure because it believes all E/M employees should be “at-will” and serve at the pleasure of the President, without employment contracts.

Thank you for your time and consideration.