

**ILWU LOCAL 142
MAUI DIVISION**

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May 26, 2026

To:

Maui County Council
200 South High Street
Wailuku, Maui, Hawai'i 96793

Re: Testimony in Support of Bill 88 — Hotel Use Categories H-3 and H-4 — Conditioned on Direct Employment Amendments

Aloha, Chair and Members of the Maui County Council:

My name is Steve West, and I serve as the Division Director of ILWU Local 142 Maui Division. Our union represents workers across Maui's hospitality, golf, and visitor-industry sectors — the men and women who make the beds, serve the meals, maintain the courses, and keep the guests safe. I am submitting this testimony in qualified support of Bill 88 as it relates to the proposed H-3 and H-4 hotel use categories, and I do so with a clear statement of the conditions under which that support is offered.

Maui faces an affordability and workforce retention crisis that is inseparable from the quality of the jobs our island economy creates. Workers who cannot afford to live here do not stay here. When the hospitality industry is built on low-wage, benefit-free, subcontracted labor — when 1099 classification replaces direct employment, and when management companies or staffing agencies stand between workers and the entity that profits from their labor — the result is not an industry that sustains families on Maui. It is an industry that extracts value from our island and delivers it elsewhere.

ILWU Local 142 Maui Division therefore urges this Council to support Bill 88 only with amendments that establish the following binding requirements for any H-3 or H-4 permitted property.

Direct Employment — No Subcontracting or 1099 Arrangements for Core Functions

Workers performing core hotel functions at any H-3 or H-4 property must be employees of the operating entity itself — not employees of a staffing agency, management company, or labor contractor, and not independent contractors receiving 1099 forms. The entity that profits from the business must be the entity responsible for hiring, supervision, wages, working conditions, benefits, and compliance with all applicable labor standards.

This principle is not a technicality. It is the foundation of accountability. Subcontracting and misclassification as independent contractors are among the most common mechanisms by which hotel operators evade legal obligations to workers. When the employer of record is a separate entity from the one collecting revenue, workers lose the ability to negotiate effectively, to enforce grievance procedures, and to hold the profiting party responsible for violations. Bill 88 should not open a new hotel category that invites this model onto Maui.

Received at HLU meeting on 5/26/2026
from Stephen West

Quality Jobs — Living Wages, Medical Coverage, and Retirement Benefits

The jobs created under H-3 and H-4 should be quality jobs for island people. That means wages sufficient for a worker and their family to live on Maui — not wages calibrated to the mainland or to a labor market that does not reflect the cost of housing, food, transportation, and childcare in this county. It means regular, employer-sponsored medical coverage through a group health plan maintained by the operating entity. And it means retirement or pension benefits tied directly to employment with the operating entity — not left to the individual worker to fund alone through a gig or contractor arrangement.

Maui should not create a new hotel pathway that allows off-island business interests to profit here without taking responsibility for the people who make that profit possible. If a company wants to operate a hotel on this island — under any use category — it should be prepared to meet the standard that every responsible employer in our industry already meets. Bill 88 is an opportunity to codify that expectation, not to create an exemption from it.

Minimum Staffing — Front Desk, Housekeeping, and 24-Hour Security

Every H-3 and H-4 property should be required to maintain staffed front desk operations, dedicated housekeeping personnel, and on-site security coverage around the clock. These are not optional amenities. They are the basic infrastructure of a functioning hotel, and their absence is a reliable indicator that an operator intends to run a hotel in substance while evading hotel-level labor and safety standards in practice.

Front desk staffing ensures that guests have access to human assistance, that security incidents are reported and addressed, and that the property is not simply functioning as a self-service platform disguised within a zoning category. Housekeeping staff ensure that properties are maintained to public health standards and that the physical labor of hotel work remains recognized as work — compensated employment, not an outsourced task assigned through an app. Security coverage protects guests, workers, and neighbors alike, and its absence at any hour represents an unacceptable gap in duty of care.

Conclusion

ILWU Local 142 Maui Division does not oppose the creation of new hotel use categories where those categories genuinely serve the needs of Maui residents and create the kind of stable, family-sustaining employment our community requires. We do oppose the creation of any category that provides a legal shelter for substandard labor practices, labor misclassification, or the erosion of direct employment relationships.

We therefore urge this Council to support Bill 88 only with amendments that require direct employment for all core hotel functions under H-3 and H-4, prohibit the use of 1099 arrangements in those positions, and mandate front desk, housekeeping, and 24-hour security staffing at every property operating under these categories.

Done right, Bill 88 can be a step toward a more accountable, more equitable hospitality industry on Maui. Done without these protections, it risks becoming another mechanism by which working families are left behind while profits leave the island. We ask this Council to choose the former.

Mahalo for the opportunity to testify.

Respectfully submitted,

Steve West

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