

## EACP Committee

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**From:** Michelle McDermott <michelle@upwhawaii.org>  
**Sent:** Tuesday, September 08, 2020 8:30 AM  
**To:** EACP Committee  
**Subject:** Maui County  
**Attachments:** Maui County Council.Testimony 9\_7.pdf

*Mahalo.*

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Tuesday, September 8, 2020

County Council  
County of Maui  
200 S. High St.  
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Shane M. Sinenci, Committee Chair  
Members of the Environmental, Agricultural, and  
Cultural Preservation Committee:

The United Public Workers Union AFSCME Local 646, is testifying specifically on the Integrated Pest and Environmental Management on County Property program proposed bill, "A Bill For An Ordinance Establishing Chapter 2.50 Maui County Code, Relating to Pesticide and Fertilizer Use On County Property", Section 20.50.080 Violations.

**The UPW AFSCME Local 646 opposes and rejects section 20.50.080** since it presumes only a county employee is capable of violating the rule. It does not state that any county administrative or field staff could also violate the rules and therefore, should be disciplined accordingly. County supervisors could give erroneous directives or cause miscommunication by not communicating any change of operations to the entire group of employees in a single meeting and in simple language that can be understood by all employees and in simple to understand writing.

An evidentiary hearing must first be conducted before any disciplinary action, warning or derogatory letter is given to the employee. The hearing committee should have a representative from the employer, a representative from the Union/UPW and a third party who has no interest or given opinions on the pesticide program, mutually chosen by the representatives of the Union/UPW and the employer.

A training program conducted by experts on pesticides and fertilizers must be implemented to teach all employees in the pesticide program about any and all chemicals or powders used on county property. There must be an actual display of the chemicals for employees to see. Written descriptions are insufficient.

The employer must provide complete sets of PPEs (personal protective equipment) for all employees in the pesticide program. Damaged PPE must be replaced immediately. The employee must not be compelled to use any damaged PPE, and should stop work immediately until the PPE is replaced.

The UPW AFSCME Local 646 is extremely concerned about the safety and job security of our members, and we would point out that any change in working conditions for BU-01 and BU-10 members are negotiable. The rules ignore this.

Liz Ho  
Administrator