

**INTERIM REPORT  
OF THE  
TEMPORARY COMMISSION  
ON COMPARABLE WORTH**

**A Report to the Legislature of the State of Hawaii**

**Submitted by the  
Legislative Auditor of the State of Hawaii  
on behalf of the  
Temporary Commission on Comparable Worth**

## FOREWORD

In accordance with Act 185 of 1984, I am transmitting herewith on behalf of the Temporary Commission on Comparable Worth its interim report to the 1985 session of the Legislature.

As the provider of staff support to the commission, the Office of the Legislative Auditor prepared the initial draft of this report, circulated it to all members of the commission, and asked if it were felt necessary for the commission to meet to consider the report.\* In response, only one commissioner disagreed with the report, and only two said they would like to have the commission meet to consider the matter. Two members suggested minor changes which have been made. Two other members submitted written responses which they requested be included with the report when it was submitted.\*\* On this basis, the report has been put into the final form in which it appears here.

The main point in this report is that the commission now faces a possible serious roadblock to further action in carrying out the assignment given to it by the Legislature due to the "comparable worth" suit which the Hawaii Government Employees Association has filed against the State of Hawaii and its political subdivisions. Unless the present stalemate that extends to the commission itself is resolved, the commission will be unable to complete its work and meet the deadline set for it by the Legislature.

Clinton T. Tanimura  
Legislative Auditor  
State of Hawaii

January 1985

\*See Appendix A for the memorandum sent to commission members on this matter.

\*\*See Appendix B and Appendix C for these two memoranda.

**ROSTER**  
**TEMPORARY COMMISSION ON COMPARABLE WORTH**  
**(Listing of Members by State, County, and Employee Organizations)**

*Chairman*

Mr. Clinton T. Tanimura  
Legislative Auditor  
State of Hawaii

*Alternate*

Mr. Jess H. Walters  
Assistant Legislative Auditor  
State of Hawaii

*Representative*

*Alternate*

**STATE AGENCIES**

- |   |  |
|---|--|
| 1. Mr. James H. Takushi<br>Director<br>Department of Personnel Services   | Mr. Clement Kamalu<br>Chief, Classification and<br>Compensation Review Division<br>Department of Personnel Services                  |
| 2. Mr. Harold S. Masumoto<br>Vice President for Administration<br>University of Hawaii                                  | Ms. Sharen M. Tokura<br>Personnel Office<br>University of Hawaii   |
| 3. Mr. Albert S. Yoshii<br>(Acting) Assistant Superintendent<br>Office of Personnel Services<br>Department of Education | Mr. Mansfield T. Doi<br>Director of Personnel and<br>Industrial Relations<br>Office of Personnel Services<br>Department of Education |
| 4. Mr. Lester E. Cingcade<br>Administrative Director<br>of the Courts<br>The Judiciary                                  | Mrs. Emmie Shigezawa<br>Personnel Administrator<br>The Judiciary   |
| 5. Ms. Annelle C. Amaral<br>State Coordinator<br>Affirmative Action Program   | To Be Named  |
| 6. Ms. Julie Hugo Simmons<br>Chairman, Public Employees<br>Compensation Appeals Board                                   | Mr. Hiroo Miyagi<br>Public Employees Compensation<br>Appeals Board   |
| 7. Ms. Joyce M. Najita<br>Director<br>Industrial Relations Center<br>University of Hawaii at Manoa                      | Mrs. Helene S. Tanimoto<br>Industrial Relations Center<br>University of Hawaii at Manoa  |

## COUNTY AGENCIES

- |   |   |
|---|---|
| 8. Mr. Wallace Y. Kunioka*<br>Director of Civil Service<br>Department of Civil Service<br>City and County of Honolulu | Mr. Alexander A. S. Yuen<br>Assistant Director of Civil Service<br>Department of Civil Service<br>City and County of Honolulu |
| 9. Mr. Harry Boranian<br>Director<br>Department of Civil Service<br>County of Hawaii                                  | Mr. David Luke<br>Deputy Director<br>Department of Civil Service<br>County of Hawaii  |
| 10. Mr. Herbert Doi<br>Director<br>Department of Personnel Services<br>County of Kauai                                | Mr. Allan Tanigawa<br>Deputy Director<br>Department of Personnel Services<br>County of Kauai                                  |
| 11. Mr. James M. Izumi<br>Director of Personnel Services<br>Department of Personnel Services<br>County of Maui        | Mr. Manabu Kimura<br>Deputy Director<br>of Personnel Services<br>Department of Personnel Services                             |

## EMPLOYEE ORGANIZATIONS

- |   |  |
|---|--|
| 12. Mr. Keith Williams<br>Executive Board Member<br>Hawaii Fire Fighters Association<br>International Association of<br>Fire Fighters Local 1463, AFL-CIO | Mr. Gordon Tom<br>Secretary-Treasurer<br>Hawaii Fire Fighters Association<br>International Association of<br>Fire Fighters Local 1463, AFL-CIO |
| 13. Mr. Melvin M. Higa<br>Hawaii Government Employees<br>Association  | Mr. Michael F. Miller<br>Hawaii Government Employees<br>Association  |
| 14. Ms. Joan Lee Husted<br>Director of Programs<br>Hawaii State Teachers Association  | Mr. Mel Goto<br>Legislative Specialist<br>Hawaii State Teachers Association  |
| 15. Mr. Lefty Muramoto<br>Executive Secretary<br>Public Employees Management<br>Association of Hawaii   | Miss Ruth Itamura<br>State Archives  |

\*Succeeded on January 2, 1985, by Mrs. Loretta K. Fukuda.

16. Mr. Pat Ah Loo  
State of Hawaii Organization  
of Police Officers

Ms. Georgianna Alvaro  
State of Hawaii Organization  
of Police Officers

17. Ms. Patricia Fowler  
United Public Workers  
Local 646, AFSCME

Ms. Jan Doi  
United Public Workers  
Local 646, AFSCME

18. Dr. J. N. Musto  
Executive Director  
University of Hawaii  
Professional Assembly

Dr. Belinda Aquino  
University of Hawaii at Manoa

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## INTERIM REPORT OF THE TEMPORARY COMMISSION ON COMPARABLE WORTH

### Introduction

In response to a movement affecting many jurisdictions throughout the United States during the decade of the 1980s, the Hawaii State Legislature during its 1984 session passed legislation (Act 185) to create a Temporary Commission on Comparable Worth.

Underlying both the general movement and Act 185 is a concept which is sometimes called "comparable worth" and other times referred to as "pay equity." Regardless of which term is used, the basic idea is the same—namely, that many women over the years have suffered from wage inequities relative to men because most women workers are concentrated in a narrow range of jobs which are low paying as well as female dominated. In short, according to the advocates of comparable worth, pay rates are determined more by the degree of "maleness" or "femaleness" of the affected jobs than by what the jobs may actually be "worth." The thrust of the comparable worth or pay equity movement, therefore, is to remove any such pay inequities and to achieve comparable pay between women and men.

Not readily known, however, is the extent to which job and pay conditions in any particular jurisdiction may be affected by this concept or what corrective actions, if any, may be necessary or feasible to achieve a more acceptable level of equity. As a consequence, a considerable amount of uncertainty and controversy has arisen around the concept of comparable worth or pay equity.

It is for this reason that Hawaii—like many other jurisdictions—has elected to study and examine this issue before attempting to devise any changes aimed at implementing the concept. This is essentially what the Temporary Commission on Comparable Worth has been established to do.

Composed of 18 members representing the different state and county personnel agencies and various public employee unions and organizations and with the

Legislative Auditor as chairman, the Temporary Commission on Comparable Worth has been assigned four tasks by Act 185, the last two of which are based upon the first two.

The first two tasks are as follows:

1. To evaluate the classification and compensation systems and other laws and practices that determine wages of state and county employees in Hawaii, including those in the Department of Education, the University of Hawaii, and the Judiciary.

2. To examine job segregation and wage differentials as these may exist in Hawaii's state and local governments.

Then, based upon the results of these first two tasks, the commission is given the final two assignments:

3. To formulate a recommendation, if found necessary, for installing a job evaluation system that would be appropriate to implement comparable worth for all public employees in Hawaii, or for carrying out an alternative means of achieving comparable worth if it is found that a single job evaluation system may not be appropriate for dealing with the situation found in Hawaii.

4. To examine the compatibility between whatever recommendation is developed and the existing body of Hawaii laws relating to civil service, compensation, and collective bargaining.

No appropriation was included in Act 185 to carry out the work of the commission. However, in addition to serving as chairman of the commission, the Legislative Auditor was charged with providing the commission with necessary administrative staff support. Moreover, in the performance of its duties, the commission was authorized to request assistance from any state or county agency or commission in carrying out the work assigned to the commission.

Act 185 further provided that the commission prepare and submit an interim report to the 1985 session of the Legislature and a final report to the 1986 session of the Legislature. This report constitutes the commission's compliance with the requirement regarding the interim report for the 1985 legislative session.

## Commission Activities

During the summer of 1984, the commission met twice to organize and to decide upon a work program to be conducted for it by the Legislative Auditor's staff. Based upon the approved work plan, the staff has initiated its research and analysis efforts and has requested various state and county agencies for assistance in collecting and compiling information needed for the study.

Besides a general review of literature in the field and an examination of statutory provisions and of operating rules, regulations, procedures, and practices affecting classification and compensation, fact gathering has been focused upon two major areas of concern: (1) the distribution of males and females among various job classifications or categories to determine the extent to which sex dominance is present within public employment in Hawaii, and (2) the occurrence of wage differentials among Hawaii's public employees to determine what factors may be affecting such differentials.

To obtain information regarding sex dominance of job classes or categories in Hawaii, the various jurisdictions affected—including the four counties, the state civil service system, the Department of Education, the University of Hawaii, and the Judiciary—have been requested to supply to the Legislative Auditor's staff data regarding the breakdown of males and females by job class or category and by bargaining unit.

To gain perspective on wage differentials and factors possibly affecting such differentials, it was decided to focus first upon factors which were believed to be most influential and for which definite data might fairly readily be obtained. On this basis, several factors came to the forefront—education, length of service, interruptions in service, total work experience, age, and sex. After carefully reviewing the availability and accessibility of such data in the computer files and personnel records of the affected jurisdictions, it was finally determined that the only feasible course to follow was to conduct a random survey of all state and county employees.

Following the model of a similar survey conducted by the State of Kentucky, the Legislative Auditor has initiated a questionnaire survey among a random sample of all permanent full-time state and county employees. The Legislative Auditor has

also contracted services from SMS Research of Honolulu to aid in the designing of the survey instrument and in performing the subsequent statistical analyses and cross tabulations.

### **Possible Roadblock to Further Commission Action**

After the work program and activities described above were well underway, the Hawaii Government Employees Association (HGEA)—which is represented by one member on the Temporary Commission on Comparable Worth—took formal action to file a “comparable worth” lawsuit against the State of Hawaii and its several political subdivisions in the Hawaii Federal District Court (Civil No. 84-1314). Seven other members of the Temporary Commission on Comparable Worth were named as defendants in this suit in their official capacities.

The filing of this suit may have the effect of creating a serious roadblock to further action by the commission. The defendant commissioners and the affected government agencies have expressed a natural reluctance to take actions or disclose information which may unduly undermine their legal positions or give aid to an opposing legal party. Already, on advice of legal counsel, they have declined to comply with the request for data relating to the distribution of males and females by job classification or category and by bargaining unit.<sup>1</sup> In the case of the County of Hawaii, it has even declined to provide a listing of a random sample of county employees for use in the survey of government employees that is being conducted.

Unless some resolution is found to what now appears to be an impending stalemate between opposing sides which extends to the commission itself, it will be impossible for the commission to carry out the tasks assigned to it and to meet the deadline set for it in Act 185. The original schedule approved by the commission calls for the completion of the first two tasks by May 1985 and the completion of the final report by the end of 1985. Up to now, no such resolution has been found.

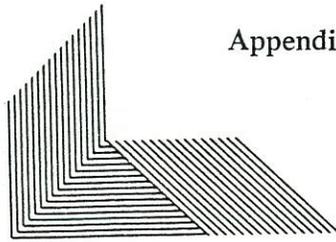
1. See Appendix D which contains a letter of December 27, 1984, to the Legislative Auditor from Deputy Attorney General Francis Paul Keeno in which he reports that he has advised against disclosing at this time any information or data which could reasonably relate to the comparable worth suit filed by HGEA. Similar letters have been received from several of the counties.

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**APPENDICES**

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THE OFFICE OF THE AUDITOR  
STATE OF HAWAII  
465 S. KING STREET, RM. 500  
HONOLULU, HAWAII 96813



CLINTON T. TANIMURA  
AUDITOR

December 19, 1984

MEMORANDUM

TO: Members of the Temporary Commission on Comparable Worth

FROM: Clinton T. Tanimura *Clinton T. Tanimura*

SUBJECT: Draft of Interim Report of the Commission to be Submitted to the 1985 Legislative Session

As you know, under Act 185 of 1984 which establishes the Temporary Commission on Comparable Worth, the commission is required to prepare and submit an interim report to the Legislature prior to the convening of the regular session of 1985 (i.e., January 16, 1985).

To comply with this requirement, the staff has prepared a first draft of such a report which is transmitted herewith for your review and reaction. Please let us know by Wednesday, December 26, 1984, whether you feel the report should be submitted to the Legislature in substantially the same form as transmitted here or whether you prefer that the commission meet to discuss and consider the form of its report to the Legislature.

Depending upon the reaction received to this draft, it will be determined if a meeting of the commission is necessary. If a meeting is decided upon, it will most likely be held on Thursday, January 10, 1985.

Appendix B

GEORGE R. ARIYOSHI  
GOVERNOR



OFFICE OF THE GOVERNOR  
AFFIRMATIVE ACTION PROGRAM

RECEIVED

DEC 27 3 35 PM '84

Annelle Amaral  
COORDINATOR

OFFICE OF THE AUDITOR  
STATE OF HAWAII

December 26, 1984

TO: Mr. Clinton T. Tanimura, Chairperson, Temporary Commission on Comparable Worth, Legislative Auditor's Office

VIA: Mr. Jess Walters, Legislative Auditor's Office

FROM: Ms. Annelle C. Amaral, Member, Temporary Commission on Comparable Worth State Coordinator, Office of Affirmative Action  
Office of the Governor *A. Amaral*

SUBJECT: Draft of Interim Report

It is totally unacceptable that this report be submitted as the Interim Report for the Temporary Commission on Comparable Worth.

I have been working with both Leonard Moffit and Susan Nunes to provide data for their individual projects, so I am well aware that there is certainly some information as well as substantive work being done by the staff of the Office of the Legislative Auditor. What has become of that work?

Further, why is it that the other members of the Temporary Commission have not been kept informed of this lack of cooperation from government agencies?

Instead, I would strongly suggest that a meeting be held to discuss these difficulties, further I would ask that the Attorney General be present to explain the legal ramifications.

We have been charged with the responsibility of providing a thoughtful and objective evaluation of the public employment system for evidence of potentially discriminatory impact, and further to identify the means of eliminating such impact should it be found.

The identification and correction of such could possibly avoid legal sanction, not enhance it.

I, for one, would like to be part of the solution, not the problem.



Appendix C

Hawaii Government Employees Association  
AFSCME Local 152, AFL-CIO

RUSSELL K. OKATA  
Executive Director

MELVIN M. HIGA  
Deputy Director

RECEIVED

Dec 26 9 59 AM '84

December 26, 1984

OFC. OF THE AUDITOR  
STATE OF HAWAII

Hand Deliver

TO: Clinton T. Tanimura

FROM: Melvin M. Higa, Deputy Director *M. Higa*

SUBJECT: REACTION TO DRAFT OF INTERIM REPORT OF THE COMMISSION  
TO THE 1985 LEGISLATIVE SESSION, 12/19/84

It is abundantly clear that at minimum a job evaluation study needs to be undertaken if the commission is to properly consider the tasks assigned to it by Act 185. I'm certain that there is little, if any, arguments against this position. The obvious concern is cost. Concern over cost can best be overcome by conduct of a limited study designed for the specific purpose of providing an "indication" of the probable situation that exists. To meet said purpose, the study's sample size and scope could be limited as to overcome the concern of cost. There are numerous neutral experts that are available to perform such a study.

In reference to "possible roadblock to further commission action," I submit that there is no legitimacy to defendants' "natural reluctance to take actions or disclose information which may unduly undermine their legal positions or give aid to an opposing legal party."

First, defendants have steadfastly proclaimed their innocence. Accordingly, there should be no "roadblocks" because disclosure of information could not possibly unduly undermine their legal position or give aid to an opposing legal party.

It further appears that information being withheld is "public information." If you and/or your staff are unable to secure such information, shouldn't you ask the legislature to request same?

Second, defendants have steadfastly proclaimed that any disparity that may exist is not as substantial as mainland cases. If so, why not make the adjustments?

Finally, the most likely facilitator of spearheading a resolution has retired. Absent a replacement, the impending stalemate between opposing sides which extends to the commission stands



Clinton T. Tamimura  
December 26, 1984  
Page 2

little chance of being resolved. I'm available to meet with an acceptable facilitator, or withdraw from the commission if such withdrawal will effectively remove the perceived roadblock to further action by the commission.

MMH:eas

Appendix D



GEORGE R. ARIYOSHI  
GOVERNOR

RECEIVED

JAN 3 2 21 PM '85

MICHAEL A. LILLY  
ATTORNEY GENERAL

CORINNE K.A. WATANABE  
FIRST DEPUTY ATTORNEY GENERAL

STATE OF HAWAII OFC. OF THE AUDITOR  
DEPARTMENT OF THE ATTORNEY GENERAL STATE OF HAWAII

STATE CAPITOL  
HONOLULU, HAWAII 96813  
(808) 548-4740

December 27, 1984

Mr. Clinton T. Tanimura  
Legislative Auditor  
State of Hawaii  
465 South King Street, Room 500  
Honolulu, Hawaii 96813

Dear Mr. Tanimura:

Re: Request For Information For  
Comparable Worth Commission

In response to your December 12, 1984 follow-up request to Mr. Takushi for information and data for the temporary commission on Comparable Worth, I wish to inform you that I have advised Mr. Takushi that at this time, he should not disclose any information or data which could reasonably relate to the Comparable Worth Lawsuit filed by HGEA, et al. (Civil No. 84-1314). In my opinion, any such disclosure to third parties would definitely constitute a waiver of any privilege of confidentiality held by Mr. Takushi and the other Defendants as well as provide Plaintiff HGEA with information critical to its case. Perhaps at some later date and depending on how the lawsuit proceeds, the requested information could be compiled and disclosed to your office without compromising Defendants' position.

Very truly yours,

*Francis Paul Keeno*

FRANCIS PAUL KEENO  
Deputy Attorney General

cc: Mr. James Takushi