

## HAWAII

# State Employees Accept Free Rounds of Golf Despite History of Fines

Hawaii's largest labor union paid the tournament entry fees for two state Department of Transportation workers.

JULY 28, 2015 • By Nathan Eagle   

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Some state workers are continuing to accept free rounds of golf despite the Hawaii State Ethics Commission cracking down on the longstanding practice.

The commission dove into the issue in July 2013 with an advisory statement that said, in bold letters, “absent extraordinary and rare circumstances, the Commission construes the State Ethics Code to prohibit state employees and legislators from accepting complimentary golf.”

Four months later, the commission [fined a state Department of Transportation engineer \\$7,500](#) for accepting thousands of dollars worth of golf tournament entry fees and prizes, which included a Rolex watch and Oakley sunglasses. DOT vendors Mitsunaga & Associates and TM Designers gave him the gifts.

Krzysztof Urbanowicz/Flickr



*State employees reported receiving more free golf tournament entries despite the Ethics Commission's advice against accepting golf gifts.*

The commission went on to investigate more than four dozen state employees accepting free golf from a host of contractors, consultants and major vendors doing business with the state. By last February the commission had [fined at least 30 public workers](#) a total of more than \$40,000.

The commission identified 26 businesses providing the gifts, including KAI Hawaii, Parsons Brinckerhoff and Bowers + Kubota. Many of the firms have had multi-million-dollar contracts with the state.

On the latest round of [gift disclosure statements](#), which were due June 30, more free golf is being reported. But this time, it's a labor union providing the gifts.

Cory Lum/Civil Beat

Two DOT employees, [Michael Amuro](#) and [Karl Kunishige](#), each reported receiving a \$225 entry fee for the Palama Settlement Golf



*Hawaii Ethics Executive Director Les Kondo has cautioned state employees to not accept free rounds of golf.*

Tournament in April from the [Hawaii Government Employees Association](#), the state's largest public-worker union with over 42,000 members.

Amura is a right-of-way agent and Kunishige is a high-level engineer.

It's not the first time Kunishige has accepted free golf. Last year, he reported [more than \\$1,500 in golf gifts](#) that three different firms gave him from 2010 to 2012.

HGEA spokeswoman Caroline Sluyter said Monday that the union “doesn’t have business with the state in the same manner as companies who compete for state contracts.”

“HGEA does support the community based social service organization Palama Settlement by contributing to its charity golf tournament, which raises money to support its programs,” she said in an email.

The difference between a public worker union and a private firm providing the free golf is an important distinction. Unions were not on the list of entities providing free golf several years ago that led to employees being fined.

A key question that the Ethics Commission considers in determining whether a [gift violates the law](#) is whether it is “reasonable to infer” the gift is intended to influence or reward official action.

During its meeting Wednesday, the commission reviewed the types of gifts that a number of employees had reported this year, but no decisions were made.

“The commission has directed staff to gather more information to determine whether the gifts were appropriate under the state Ethics Code,” said Les Kondo, the commission’s executive director.

DOT spokesman Tim Sakahara could not be reached for comment Monday.

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## About the Author



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4 Comments

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**Carolyn Weygan**

"HGEA does support the community based social service organization Palama Settlement by contributing to its charity golf tournament, which raises money to support its programs," she said in an email. This statement is odd in the context of the news which says that individual employees had their fees paid for rather than an event being sponsored in a neutral way.

Like · Reply · Jul 28, 2015 9:44am



**Tony Wunsch** · University of Hawaii at Manoa

Hmmm... So what is the influence HGEA trying to gain from these 2 workers? I don't see the point of this article.

Like · Reply · Jul 28, 2015 9:52am



**Andy Andrews** · Works at Puna Ukulele & Kanikapila Association

Thanks Nathan - Are these fines being collected? And why aren't they higher? What happens on second offenses? The impropriety of public sector employees accepting gifts from ANY private organization should be ended. It can only lead to future conflicts of interest. And if these public employees want to support what they consider a worthy charity they can do it on their time and on their own nickel.

Like · Reply · Jul 28, 2015 10:51am · Edited



**Nathan Eagle** · Works at Honolulu Civil Beat

Yes, the fines are being collected as far as I know. The commission determines the amounts through a balancing test of sorts. That's a good question about second

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 amounts through a balancing test of sorts. That's a good question about second offenses; I don't know what happens. Thanks for reading and sharing your comment.

Like · Reply · Jul 28, 2015 6:59pm



**Tony Wunsch** · University of Hawaii at Manoa

Well not accepting "ANY" gift is a bit overboard. A public sector employee walking in a store and say they are giving out free coffee - well they should be able to accept that. Disclosure alert - yes I am a retired public servant and a HGEA member. The employees mentioned in the article were fined for improprieties and public servants totally get that. The ethics commission does have it's rules and most public servants understand those rules. I have seen many public servants turn down gifts.

However, the article was about accepting golf tournament passes from HGEA (I assume the two employees ... See More

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**Nathan Eagle** · Works at Honolulu Civil Beat

You raise great questions, Tony. That's exactly the debate the Ethics Commission will have. On the one hand, they've issued an advisory saying that except under very rare circumstances, state employees are not to accept free rounds of golf from entities that do business with the state, which of course HGEA does in a fundamental way. On the other hand, like you said, it's not as separate an entity as, say, an engineering firm. The source of this gift, HGEA, raises new questions for the commission to consider. I could see them come down on either side, depending on how liberally they construe the ethics code.

Like · Reply · 1 · Jul 28, 2015 1:25pm



**Rick Tubania** · University of Hawaii at Manoa

tony the key is whether any special interests may have paid for th golf tickets and gave them to the union to distribute to their members. If this were done, it should be a no-no; if paid for by the union from its own funds, then it should be okay. special interests have been skirting the political contributions limits by spreading the amounts to various employees, related companies, etc. to cover the source of the contribution.

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