

HAWAII LABORER



Official Publication of the Laborers' International Union of North America, Local 368

Negotiating For You & Your Union

Local 368 successfully concluded contract negotiations last fall that presented members with a new five-year labor agreement with increases in wages and benefits. Business Manager/ Secretary-Treasurer Peter Ganaban gives members a glimpse into what transpired at the bargaining table and discusses the critical issue that made this particular negotiation especially difficult.

Now that contract negotiations are done, what can you tell us about how they went?

Contract negotiations are never easy. There is always a lot of "back and forth" and "give and take." As I always say, if everything was easy then life would be boring, and it wouldn't be called a "negotiation." But we are always prepared to enter into this tough process on our members' behalf.

What makes contract negotiations so difficult?

I would have to say it is not just asking for things that our members want to see in the next contract, but protecting the important contract language or clauses that give our union its stability and strength as well as carrying them over into the new contract.

What was the Union's biggest challenge in this negotiation?

During this contract negotiation period, management was working hard to do away with our subcontractor clause, and that is a big, big deal. As far as our Laborers' Union is concerned, we have the highest ratio of subcontractors to general contractors in the building and construction trades. So if we did not take a hard stance and allowed the subcontractor clause to be deleted from the contract, our Laborers' Union would have been severely affected.

In what way would Local 368 have been affected?

If the subcontractor's clause was negotiated away, our Laborers' Union could have been reduced in size by nearly half over a short period of time. It would have taken us from the state's second largest construction union to the smallest union – just with a simple stroke of a pen.

As we all know, there is strength in numbers and that has been proven time and again throughout the 140 years of our country's Labor Movement. And it's especially true for Local 368. When we look back through the history of this Union, we see growth in membership, wages and benefits, training and employment opportunities, and the standard of living for our members.

Without the strength of our Union, where would all of us be? Certainly we would not be in a position to negotiate at all. As a group, we represent the highest

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Building A Better Hawaii!

We Need You To Keep Our Union Strong

As we begin a new year, Local 368 and our members must put renewed emphasis on strengthening our Union. Our latest contract negotiations pointed out how quickly and easily everything could change for construction industry unions – especially for our Union – and its members if the subcontractor clause was deleted. After so many years of effort on the part of Local 368 to generate greater respect and appreciation for the work our members do, we couldn't help but see the suggestion of deleting the clause as an attack on our unions and on Local 368 in particular.

Going from the second largest construction union to the smallest union would dramatically undermine our position in future contract negotiations. Many of you, our hard-working members, would be left without union representation, which we all know would seriously impact your wages, health benefits, pension and working

Auditor Finds Local 368 Sound & Compliant

Independent auditors recently performed a routine examination of Local 368's financial accounts, records and documents and determined that they fairly present the Union's financial position and conform to standard accounting principles. Auditors also found the Union to be compliant with the required filings of the Department of Labor's Office of Labor Management Standards and Internal Revenue Service.

Such audits serve two purposes. One is to ensure the Union is operating within governmental requirements and with accuracy in its accounting. The other is to reassure members that the Union is effectively and soundly managing its activities while safeguarding their best interests.

conditions. That, in turn, would sadly have negative affects on your family and the quality of your lives.

Our response to this potential threat must be one of solidarity and action. We strongly encourage all members to take a more active role in Union activities, including attendance at General Membership Meetings and Neighbor Island Informational Meetings. Keep up to date on what is happening and make your voice heard in ongoing discussions. Your opinion matters, and your participation matters! Your Union needs you!

Local 368 is there for you when you need representation on legislative action. As you'll see on the following pages, your Union and the Hawaii Laborers & Employers Cooperation and Education Trust (LECET) came up big time this year on our members' behalf with state and city council legislation that will speed up the permitting process and create more work opportunities for our members.

Local 368 is also there taking action to answer contractors' needs for skilled workers as new construction proj-



ects emerge. Our apprenticeship and training program is among the Top 10 vocational programs in the state and is committed to providing the industry with highly skilled workers ready to hit the ground running.

And when it comes to your family, Local 368 is there again to lend a hand with school supplies, scholarships, and activities that bring everyone together in the spirit of uplifting unity. When you stop to think about it, Local 368 is really one big family and we truly are brothers and sisters.

So we ask you to be there for Local 368. Let's join together and create the bonds that will enable us to respond quickly and resoundingly in unity to any challenges that may come our way in the days ahead. Participate. Volunteer. Keep our Union strong!



Union-Backed Measures Passed By City Council

by Ryan Kobayashi
Government and Community Relations
Officer

Even after the state Legislature adjourned for the summer, your Union continued to work legislatively on the County level to further your interests with Bill 24 (Special Assignment Inspections) and Bill 37 (Community Workforce Agreements).

Local 368 worked to help pass Bill 24 on September 4, 2019. As you may be aware, back in the early to mid-2000's – during our last construction boom before the "Great Recession" of 2008 – when a project was finally "approved," a developer or project owner could immediately apply for a "courtesy inspection permit" to get their project underway faster.

Since the recession, the "courtesy inspection permitting" program disappeared, so even after projects receive their approvals, they are not getting underway as quickly as they could be under a "courtesy inspection" type of program. Therefore, pursuant to meetings with the City and County of Honolulu's Department of Planning and Permitting, Bill 24 was introduced in the City Council and subsequently passed. Mayor Kirk Caldwell signed the bill into law on September 18, 2019, enabling projects that receive their final approvals to get underway much sooner.

As another way of supporting our members, the Union helped to introduce Bill 37, which makes it more difficult for non-union contractors to undercut unionized contractors on City projects that are essential to the City's functions, such as those relating to water, sewer, storm water, police and fire services. Bill 37, which was passed by the City Council on October 9, 2019 and became law without Mayor Caldwell's signature, would require any project relating to those essential functions over the amount of \$2 million to be subject to a Community Workforce Agreement.

What is a Community Workforce Agreement? In general terms, a Community Workforce Agreement (CWA) is similar to a Project Labor Agreement

(PLA) except that the CWA applies to a group of projects that meet certain criteria as opposed to the single-project application of a PLA. Therefore, a non-union contractor may still bid on and win CWA work. However, the non-union contractor's workforce must join the union and come under the terms of each individual union's prevailing wage classifications, and any new workers the non-union contractor may need must come from the hiring hall's bench.

Working under a CWA makes it more difficult for non-union contractors to "misclassify" their workers, which is illegal. By operating with a CWA in place, the City gains the assistance of unions in rooting out this illegal activity by allowing an individual union's business agents to directly monitor and

address any misclassification they may witness or respond to any complaints of misclassification by the non-union contractors' workers.

To be clear, not all non-union contractors misclassify their workers. However, it is also important to note that misclassification does not solely cheat the workers who are subjected to it. Ultimately, misclassification cheats our members and their employers out of competing for work on a level playing field, because non-union companies that misclassify workers are able to underbid or undercut unionized contractors who play by the rules and follow the law. In this way, Bill 37 benefits all unionized contractors and union members as well as all workers on essential City projects across the City and County of Honolulu.

Negotiating For You & Your Union

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ideals of unionism, and that's something we must continue to fight for on behalf of not only ourselves but for future generations.

So the new contract maintains the subcontractor clause?

Yes. I know there are members who were looking for more in terms of wage and benefit increases, but that's where the "give and take" comes in. By definition, a successful negotiation is a process where the parties to the negotiation each "walk away" from the negotiating table with something they want, but no one walks away with everything. We pushed for more but, in the end, agreed to the increases in the new contract to be able to preserve the strength and power of this great Union for its members and their families today and into the future.

Contracts must also be "ratified," right? Can you explain more about that process?

You are correct. Once the contract has been negotiated, it then must be presented to the membership for ratification. This is the process where the members can choose to either accept terms preliminarily agreed to in the negotiations or reject the terms by electing to go on what is referred to as an "economic strike."

Can you tell us more about an "economic strike"?

An economic strike could potentially be as detrimental to our Union's power as giving up the subcontractor's clause in the contract negotiation process that we worked so hard to defend. This is because at the point where the Laborers' Union walks off the job on an "economic strike," the contractors would be free to hire what are called "scabs" to stop the "bleeding" initiated by the strike.

In other words, the contractors would be free to hire just about anyone off the street to take our work. Non-union workers, and even other trades, could be used to fill the void in the absence of our members on the job.

However, our members chose wisely to avoid this situation and voted to ratify the terms of the contract that were negotiated. Today, we have a new five-year contract that our members are presently working under which continues to benefit not only our members but their families as well.

LECET Passes Law Requiring Certified Payrolls For Services & Maintenance Contracts

by Hawaii Laborers & Employers Cooperation and Education Trust

A legislative bill introduced by your Hawaii Laborers & Employers Cooperation and Education Trust (LECET) was recently signed into law by Governor David Ige. SB292 CD1 became Act 219 (2019). [These are the first legislative bills written, introduced and passed by Hawaii LECET to help the Hawaii Laborers Union Local 368 in over 20 years.](#)

“SB292 was drafted by LECET staff in response to complaints from our signatory Landscape Association of Hawaii (LAH) contractors,” said Hawaii LECET Director Brian Lee. “Government service and maintenance contracts, such as landscape maintenance for schools and highways, were going to non-union contractors who severely underpaid their workers, with no official way to expose their cheating on government prevailing wage requirements. These payroll violations led to our contractors losing out on many jobs and our members losing work.”

Government public works projects have long required the weekly reporting of certified payrolls that are subject to review, audit and penalty. However, government projects that were classified as “service and maintenance” projects have never required the submission of certified payroll affidavits from government contractors who were awarded the work.

Your Hawaii LECET Fund worked with LAH contractors to craft new legislative language in January to require certified payroll reports for Chapter 103 government service and maintenance contracts, which went into effect starting September 1, 2019.

Since our new law would help the entire construction industry, your Laborers’ LECET program successfully persuaded other industry organizations to support SB292, including the Carpenters Union, Operating Engineers, Masons & Plasterers Union, Bricklayers Union, Hawaii Construction Alliance, Pacific Resource Partnership, and several Hawaii Building Trades Council affiliates.

During the 2019 state legislative session, LECET addressed questions about the legislation from state agencies, other unions and contractor organizations. After four months of testimonies and hearings, the Hawaii State Senate and State House of Representatives both unanimously passed SB292 CD1 and sent Hawaii LECET’s legislation to the Governor for approval and passage. With all these endorsements, Governor Ige reviewed and signed Hawaii LECET’s SB292 CD1 legislation into law as Act 219 (2019).

This much-needed legislation closed a big loophole that had been overlooked or ignored in government service and maintenance contracts for decades. The new Hawaii LECET law will help ensure the public’s tax dollars support honest contractors bidding on government contracts, and protect Local 368 members and other workers, both union and non-union, from being underpaid and cheated out of their fair wages. Mahalo to all who helped bring SB292 CD1 into law as Act 219 (2019).

A Boost Project

After one of the most robust periods for Hawaii’s building and construction industry in recent memory, we did experience the predicted slowdown of projects in 2019. But here’s some welcome news. The latest projections show that new construction projects will provide a boost to the industry over the next two years, according to the University of Hawaii Economic Research Organization.

High-rise projects in urban Honolulu will keep construction jobs near or above current levels through 2022. And the new law created by the Honolulu City Council’s passing of Bill 24 is intended to fast-track building permits delayed in the city’s Department of Planning and Permitting. Mixed-use towers in Kakaako, affordable housing projects, and continuing work on single- and multi-family homes in Ho’opili as well as new construction at Koa Ridge are in the pipeline.

The State Legislature also passed a measure last May to provide \$3.4 billion



ed For Construction Industry

for the state's capital improvement projects through 2021. That work includes \$275 million for the University of Hawaii's modernization projects, \$617 million for airport improvements, \$384 million for harbor projects, \$458 million for bridge repair and maintenance, \$65 million for renovations to Hawaii Health Systems Corp. buildings, \$1.3 billion for public school construction and maintenance, and \$36 million for repairs and maintenance of state buildings.

These projects will add to those that have gotten underway in recent months, including:

Ililani Condo Tower in Kakaako

The 42-story building near the intersection of Halekauwila and Keawe streets will house 328 units, including 165 units for owner occupants earning no more than 140 percent of the area median income. Prices for 163 market-priced units range from \$700,500 to \$905,500. In July, 498

applications were accepted from buyers for the 165 affordable units priced from \$312,600 to \$657,100. Architect Ken Chang, who grew up in Hawaii, is the developer and Swinerton is the general contractor.

Kulana Hale Phase 2 in Kapolei

Built under a collaboration between developers California-based Highridge Costa and Honolulu-based Coastal Rim Properties, the \$70 million project includes a 13-story tower that will have 143 units for families earning no more than 60 percent of the area median income. Hawaiian Dredging Construction Co., which is completing the Phase 1 tower with 154 units for seniors making up to 60 percent AMI, will immediately begin work on the new tower.

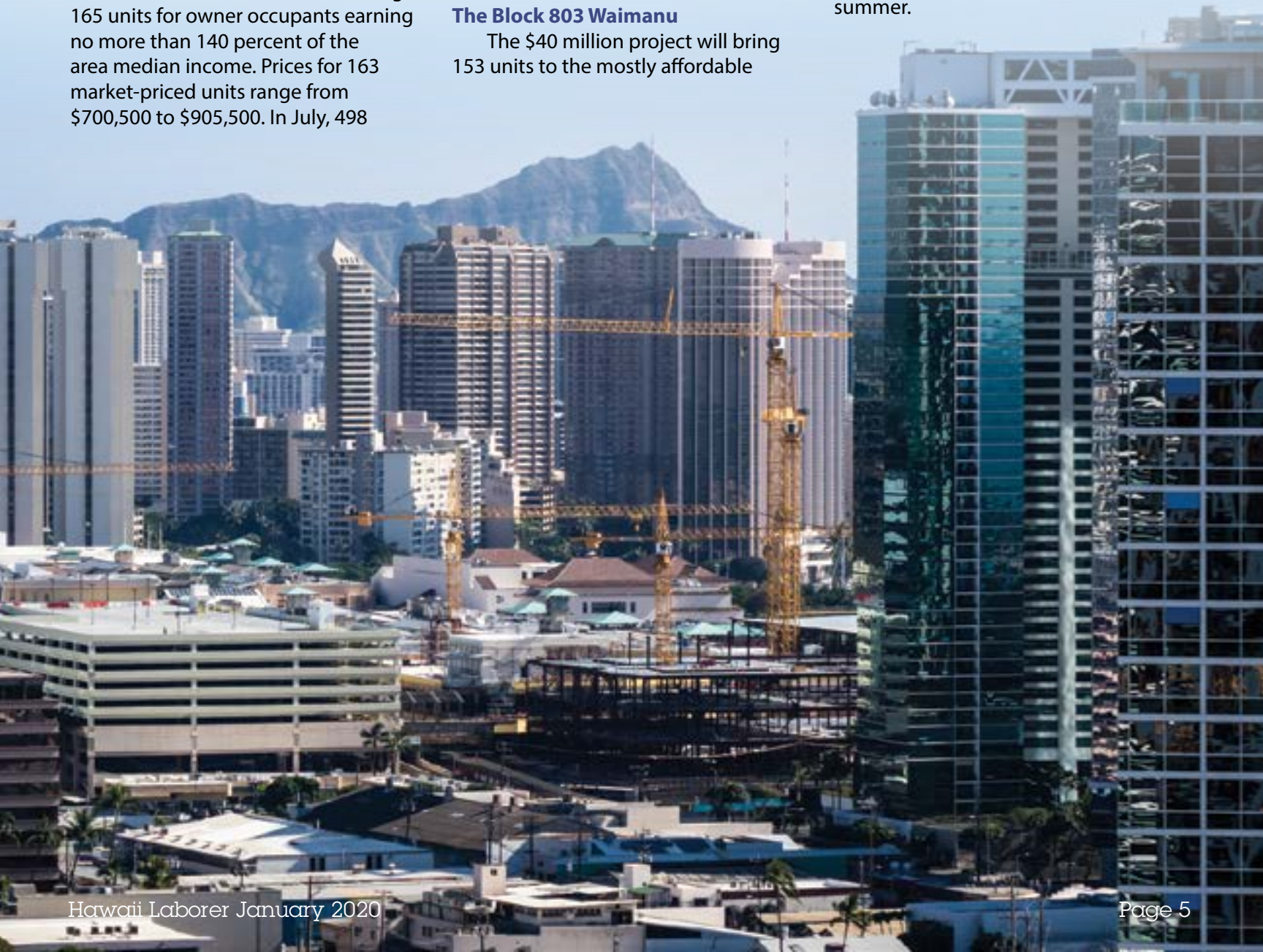
The Block 803 Waimanu

The \$40 million project will bring 153 units to the mostly affordable

seven-story, 65-foot building that is being developed by an affiliate of Coastal Rim Properties. The Hawaii Community Development Authority is regulating the sale of 57 units and the Hawaii Housing Finance Development Corp. has jurisdiction over 77 affordable studios. Layton Construction is the general contractor.

Queen Emma Affordable Rentals

Kailua-based Ahe Group and Southport Financial of Tacoma have acquired the Queen Emma Building near downtown Honolulu and have begun interior demolition to convert the long-vacant 12-story office building into 71 affordable rental apartments. Swinerton is the general contractor on the \$39.6 million project, which is expected to be ready for tenants this summer.



Training Schedule

Oahu

To register please contact **Pie Orillo, Darren Lanford, Sandie Maeda, or Francis Tau'a at (808) 455-7979**, Monday through Friday, 8:00 am to 4:30 pm; All Classes are subject to change. Please view our web site at <https://hiltp.org> for training updates.

CONSTRUCTION

Date	Day	Course	Time/Room#
Feb 3, 5, 10, 12 Feb 17, 19, 25, 27 Feb 15, 22	Mon, Wed Mon, Tue, Wed Sat	Water Pipe Laying (40 hrs)	5:00 pm- 8:00 pm 5:00 pm- 8:00 pm 7:00 am- 3:30 pm Portable 1
Feb 11, 13 Feb 18, 20 Feb 15, 22	Tue, Thur Tue, Thur Sat	Silica Awareness, Power Tools (28 hrs)	5:00 pm- 8:00 pm 5:00 pm- 8:00 pm 7:00 am- 3:30 pm Portable 2
Feb 11, 12, 13 Feb 18, 19, 20 Feb 15, 22	Tue, Wed, Thur Tue, Wed, Thur Sat	Mason Tender (32 hours)	5:00 pm- 8:00 pm 5:00 pm- 8:00 pm 7:00 am- 3:30 pm Classroom 2
Mar 2, 4, 9, 11 Mar 16, 18, 23, 25 Mar 14, 21	Mon, Wed Mon, Wed Sat	Basic Sewer Pipe Laying (40 hrs)	5:00 pm- 8:00 pm 5:00 pm- 8:00 pm 7:00 am- 3:30 pm Portable 1
Mar 3, 5, 10, 11 Mar 17, 19, 24, 26 Mar 14, 21	Tue, Thur Tue, Thur Sat	Concrete forming, placement, finishing	5:00 pm- 8:00 pm 5:00 pm- 8:00 pm 7:00 am- 3:30 pm Portable 2
Mar 10, 12 Mar 17, 19 Mar 14, 16	Tue, Thur Tue, Thur Tue, Thur	Advance Water Pipe Laying Phase I (18 hrs) <i>(Water main systems, plan reading, domestic, fire and Landscape water lines, BWS Standards)</i>	5:00 pm- 8:00 pm 5:00 pm- 8:00 pm 5:00 pm- 8:00 pm Classroom 1

SAFETY & EQUIPMENT

Date	Day	Course	Time/Room#
Jan 25	Sat	Rough Terrain Fork Lift Operator Safety (8 hrs)	7:00 am- 3:30 pm Classroom 2
Jan 28, 29 Feb 1	Tue, Wed Sat	OSHA 10 (10 hrs)	5:00 pm- 8:00 pm 7:00 am- 3:30 pm Classroom 1
Feb 1	Sat	Confined Space in Construction (6 hrs)	7:00 pm- 1:00 pm Classroom 2
Feb 8	Sat	Skid Steer Operator Safety (Bobcat) (8 hrs)	7:00 am- 3:30 pm Portable 1
Feb 29	Sat	Backhoe Operator Safety (8 hrs)	7:00 am- 3:30 pm Classroom 1
Feb 25, 27	Tue, Thur	Flag Person, Traffic Control, WZS (6 hrs)	5:00 pm- 8:00 pm Portable 2
Mar 4	Wed	Fall Protection (4 hrs)	4:30 pm- 8:30 pm Classroom 2
Mar 5	Thur	Scaffold User (4 hrs)	4:30 pm- 8:30 pm Classroom 2
Mar 7	Sat	Rough Terrain Fork Lift Operator Safety (8 hrs)	7:00 am- 3:30 pm Classroom 2
Mar 7	Sat	Skid Steer Operator Safety (Bobcat) (8 hrs)	7:00 am- 3:30 pm Portable 1
Mar 16, 18	Mon, Wed	First Aid CPR AED (6 hrs)	5:00 pm- 8:00 pm Classroom 1
Mar 23, 25 Mar 28	Tue, Wed Sat	OSHA 10 (10 hrs)	5:00 pm- 8:00 pm 7:00 am- 3:30 pm Classroom 1
Mar 23, 24	Mon, Tue	Confined Space in Construction (6 hrs)	5:00 pm- 8:00 pm Classroom 2
Mar 28	Sat	Elevated Work Platform (8 hrs)	7:00 pm- 3:30 pm Classroom 2

ENVIRONMENTAL

Date	Day	Course	Time/Room#
Feb 4, 6, 11, 13 Feb 18, 20, 25, 27 Feb 15, 22	Tue, Thur Tue, Thur Sat	Hazardous Waste Worker (40 hrs)	5:00 pm- 8:00 pm 5:00 pm- 8:00 pm 7:00 am- 3:30 pm Classroom 1
Feb 10	Mon	OSHA Lead Worker Refresher (8 hrs)	4:30 pm- 8:30 pm Classroom 2
Feb 10, 12	Mon, Wed	Hazardous Waste Worker Refresher (8 hrs)	4:30 pm- 8:30 pm Classroom 2
Feb 26, 27	Wed, Thur	Asbestos Worker Refresher (8 hrs)	4:30 pm- 8:30 pm Classroom 2
Mar 2, 3	Mon, Tue	Asbestos Supervisor Refresher (8 hrs)	4:30 pm- 8:30 pm Classroom 2
Mar 9	Mon	OSHA Lead Worker Refresher (8 hrs)	4:30 pm- 8:30 pm Classroom 2

Hilo/Kona

To register please call **Lamar Derego at (808)-329-1590 or (808) 217-0459**, Monday through Friday, between the hours of 7:00 am and 3:30 pm. Or check our website at <https://hiltp.org>. Classes will be held at Laborers, Local 368 Hilo/Laborers Apprenticeship & Training, 749 Mililani Street or Laborers, Local 368 Kona/Laborers Apprenticeship & Training, 73-4171 Hulikoa Drive, Kona.

Date	Day	Course	Time/Instructor
Feb 22	Sat	Rough Terrain Fork Lift Operator Safety (8 hrs)	7:00 am- 3:30 pm L. Derego
Mar 7	Sat	Rough Terrain Fork Lift Operator Safety (8 hrs)	7:00 am- 3:30 pm L. Derego
Mar 14	Sat	Asbestos Supervisor Refresher (8 hrs)	7:00 am- 3:30 pm F. Tau'a

Kauai

To register please call **Lamar Derego at (808)-329-1590 or (808) 217-0459**, Monday through Friday, between the hours of 7:00 am and 3:30 pm, or log on to our website at <https://hiltp.org>. Classes will be held at Kauai Community College, Room TBA.

Date	Day	Course	Time/Instructor
Jan 25	Sat	Fall Protection/Scaffold User (8 hrs)	7:00 pm- 3:30 pm L. Derego
Feb 8	Sat	Flag Person, Traffic Control, WZS (6 hrs)	7:00 pm- 3:30 pm L. Derego
Feb 15	Sat	Rough Terrain Fork Lift Operator Safety (8 hrs)	7:00 am- 3:30 pm L. Derego
Mar 7	Sat	First Aid CPR AED (6 hrs)	7:00 am- 1:00pm C. Naone

Maui

To register please call **Lamar Derego at (808)-329-1590 or (808) 217-0459**, Monday through Friday, between the hours of 7:00 am and 3:30 pm, or log on to our website at <https://hiltp.org>. Classes will be held at Laborers, Local 368/Laborers Apprenticeship & Training, 811 Kolu St. #102, Wailuku.

Date	Day	Course	Time/Instructor
Feb 1	Sat	First Aid CPR AED (6 hrs)	7:00 am- 1:00pm C. Naone
Feb 29	Sat	Fire Watch/Respiratory Protection (6 hrs)	8:00 am- 3:30pm L. Derego
Mar 10 Mar 28	Sat Sat	OSHA 10 (10 hrs)	8:00 am- 3:30pm 8:00 am- 3:30pm L. Derego

Training News & Calendar

Training Program Among Nation's Top

The Hawaii Laborers' Apprenticeship & Training Program was recently named to Hawaii's Top 10 trade schools by VocationalTrainingHQ LLC, a Florida-based entity that specializes in vocational education content, courses and schools. Trade schools were evaluated on the basis of curriculum, faculty scholarships, program range, school

reputation, online reputation and financial aid.

Ranked No. 2 in the state, the Hawaii Laborers' training program is managed by trustees from Local 368. The program's mission is to offer the best training that will prepare skilled workers for Hawaii's construction industry.

JANUARY

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
			1 New Year's Day Trust Fund Office Closed	2	3	4
5	6	7	8 Kona Informational Meeting Kealahou High School 6 p.m.	9 Oahu Retirees' Meeting Oahu Union Hall 9 a.m. Hilo Informational Meeting Hilo Office 749 Mililani St. 6 p.m.	10	11
12	13	14	15	16	17	18
19	20 Martin Luther King Jr. Day Trust Fund Office Closed	21	22 General Membership Meeting Oahu Union Hall 6 p.m.	23	24	25 Oahu Union Hall Open 8 a.m. - 12 noon New Member Orientation Oahu Union Hall 8 a.m.
26	27	28	29	30	31	

FEBRUARY

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
						1
2	3	4	5 Maui Informational Meeting 781-E Kolu St. 6 p.m.	6 Oahu Retirees' Meeting Oahu Union Hall 9 a.m. Kauai Informational Meeting King Kaumuali'i School 6 p.m.	7	8
9	10	11	12	13	14	15
16	17 Presidents' Day Trust Fund Office Closed	18	19	20	21	22
23	24	25	26 General Membership Meeting Oahu Union Hall 6 p.m.	27	28	29 Oahu Union Hall Open 8 a.m. - 12 noon New Member Orientation Oahu Union Hall 8 a.m.

The 'Hawaii Laborer' is the official publication of the Laborers' International Union of North America, Local 368
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Business Manager/Secretary-Treasurer



Alfonso Oliver
President



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Toni Figueroa
Recording Secretary



James Drumgold, Jr.
Executive Board



Orlando Paeste
Executive Board



Joseph Yaw
Executive Board



Martin Aranaydo
Auditor



Russell Napihaa
Auditor



Mark Travalino
Auditor



Alfred Hufana Jr.
Sergeant-at-Arms

**Construction and General Laborers' Union
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 Union of North America**
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 Honolulu, HI 96817

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In Memoriam

Local 368 honors the memory of the following members who passed away in 2019. We extend our deepest condolences to their families and friends.

Alfredo Acedera
 Justino Agonias Jr
 Ernest Akim Seu
 Ralph Alapai
 Joshua Alfonso
 Antonio Arriaga Jr
 Valerio Bonilla
 John Carvalho Jr
 Amado Castro
 Pedro Domingo
 Romulo Estranero Sr
 Irineo Gervacio
 Francisco Gocong
 Akito Imai
 John Kamakeeaina IV

Clarence Kanai
 Daniel Kealoha
 Herbert Loo
 Generalisimo Madriaga
 Ramon Matanguihan
 Geraldine M. Mau
 Vianor Munoz
 Juan Olipares
 Ruperto Planas
 Gary Robitaille
 Abraham Simon
 Aurelio Simpliciano
 David Soong
 Robert Takemoto