

STATEMENT OF KENT Y. HIROZAWA
NOMINEE FOR MEMBER, NATIONAL LABOR RELATIONS BOARD

BEFORE
THE COMMITTEE ON HEALTH, EDUCATION, LABOR AND PENSIONS
OF THE UNITED STATES SENATE

JULY 23, 2013

Chairman Harkin, Ranking Member Alexander, and members of the Committee, thank you for the opportunity to appear before you today. I am honored and humbled to be considered for a position as a member of the National Labor Relations Board. This is something that I could not have imagined as a young field attorney with the Board nearly thirty years ago. It has also been pointed out to me that if I am confirmed, I would be the first Asian-American member of the Board. That, of course, would be a great honor.

If I may, I would like to start by telling you a little about where I come from. My father was born and raised on a sugar cane plantation on the island of Kauai, in what was then the Territory of Hawaii. His father had come from Japan as a contract laborer around the turn of the century, and his mother as a picture bride some years later. He and most of his brothers made it off the plantation and got through college and grad school as a result of World War II. They enlisted in the U.S. Army, came back after the war, and went to school on the GI Bill.

My mother grew up on the other side of the tracks. Her father and grandfather were surgeons who came to Hawaii from Japan and helped to found the Japanese Charity Hospital in Honolulu.

My parents met at the University of Hawaii, got married, and went to grad school at Minnesota and Wisconsin. My father then took a job as a research chemist at the Wyandotte Chemical Company, later the BASF Wyandotte Corporation, in Wyandotte, Michigan. He had a long and fulfilling career there, with many scientific papers and hundreds of patents to his credit.

One of the distinct memories I have of my father's time at the company, however, has nothing to do with science. Every once in a long while, he would pack a suitcase with enough clothes for a couple of weeks and take it to work. The reason was that there might be a strike that night. As a salaried employee, he would be one of those responsible for keeping the plants running, behind the locked gates, for as long as the strike lasted. Naturally, this was very interesting to us kids, but he did not imbue it with any drama; it was just part of the job.

My mother also had a long and fulfilling career, as a teacher and beloved member of the community at the Roeper School in Bloomfield Hills, Michigan. They are both retired now and are unable to be here today, but it is because of their examples of decency and generosity, and their respect for the values of hard work and playing by the rules that they passed on to their children, that I have been able to achieve what I have. So thanks, Mom and Dad.

I was born in Wyandotte and grew up in southeastern Michigan. I went away to college at Yale and then, after a few years in the real world, I went to law school at NYU. At NYU, in addition to getting a terrific legal education, I met a lovely young woman from Minnesota, Lynn Kelly. Lynn is now the Executive Director of the City Bar Justice Center, where she coordinates the pro bono programs of the New York City Bar Association. We have been married for over 25 years, and she is here today with our two wonderful children, Nora and Miles.

After a judicial clerkship, I started my career as a labor lawyer as a field attorney with the Board's Manhattan regional office. After a few years, I left to go into private practice, but not before gaining a deep appreciation for the importance of the agency's work, and a deep respect for the quality and dedication of the agency's employees. So after over 20 years as a partner with a New York City labor and employment law firm, I decided to return to the agency when Mark Pearce asked me to serve as his chief counsel. The three years that I have spent at headquarters have been a tremendous learning experience and have given me even deeper appreciation for the staff's talents, professionalism, and commitment to fairness and to the goals of the National Labor Relations Act.

If I am given the opportunity to serve as a Board member, I think that my decades of practice as a labor lawyer, both within and before the agency, will serve me well. And I think I would also be helped by the perspectives gained from my time in the world of business and work. In addition to my work as a lawyer, I have worked in a chemical plant and a printing plant, I have cleaned offices and pumped gas, I have been a busboy, a bartender and an unemployment claims examiner. I was also, for 20 years, a co-owner of a small business. With my partners, I had to deal with the challenges of making payroll, paying the rent, providing health insurance for our employees, and staying competitive in our market. I was the partner responsible for associate recruitment, hiring, compensation and evaluation, and the main trustee of the firm's retirement plan. I have had to discharge employees, and I know that it is always difficult and never taken lightly. I believe that all of these experiences will help me to see all sides of the workplace disputes that come before the Board.

Back when I was a Board agent in Region 2, I once heard another employee described as "pro-Act." Not pro-union or pro-management, but pro-Act, dedicated solely to advancing the policies and purposes of the National Labor Relations Act without regard to the identities or alignments of the parties. That has always struck me as an apt term of praise for an employee of the Board. And that is what I will aspire to if I am confirmed as a member of the Board: I pledge to dedicate myself to the fair and even-handed enforcement of the commands of the Act, consistent with the Act's purpose of maintaining industrial peace.

Thank you for the opportunity to appear before you today and I look forward to your questions.