

STAND. COM. REP. NO. 1400

Honolulu, Hawaii

March 23, 2007

RE: S.B. No. 1833
S.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2007
State of Hawaii

Sir:

Your Committee on Labor & Public Employment, to which was referred S.B. No. 1833, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO FAMILY LEAVE,"

begs leave to report as follows:

The purpose of this bill is to modify the provisions of the Hawaii Family Leave Act by providing the employee - not the employer - with the option of substituting accrued paid leave, such as vacation, personal, or paid family leave, for any part of the four-week period allowed for family leave. Currently, family leave may consist of paid leave, unpaid leave, or a combination of paid and unpaid leave.

The Hawaii State Teachers Association, International Association of Machinists and AeroSpace Workers, Hawaii Government Employees Association, Hawaii Family Forum, Roman Catholic Church in the State of Hawaii, National Association of Government Employees, Hawaii State AFL-CIO, Office of Hawaiian Affairs, Association of Flight Attendants, and a concerned individual testified in support of this bill. The Department of Labor and Industrial Relations, Retail Merchants of Hawaii, National Federation of Independent Business, and The Chamber of Commerce of Hawaii opposed this measure.

SB1833 SD1 HSCR LAB HMS 2007-3273



A growing number of employees are taking family leave to care for elderly family members and loved ones. Such care often necessitates the substitution of other types of leave, including vacation leave, when the amount of allowed family leave is depleted. Your Committee believes that the manner in which family leave is taken should be a decision that is left to the employee and that an employer should not force an employee to exhaust the employee's accrued vacation leave to care for a family member.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1833, S.D. 1, and recommends that it pass Second Reading and be referred to the Committee on Finance.

Respectfully submitted on
behalf of the members of the
Committee on Labor & Public
Employment,



ALEX M. SONSON, Chair



