

STAND. COM. REP. NO. **676**

Honolulu, Hawaii

MAR 01 2007

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

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Regular Session of 2007
State of Hawaii

Madam:

Your Committee on Ways and Means, to which was referred S.B. No. 1833 entitled:

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

begs leave to report as follows:

The purpose of this measure is to strengthen the rights of employees under the state family leave law.

More specifically, the bill clarifies that only an employee has the option to substitute accrued paid leave, including vacation, personal, or family leave for any part of the four-week period allowed for family leave per year. The current law allows either the employer or employee to decide what type of leave to apply while the employee is out on family leave.

Your Committee received comments in support of the measure from the Hawaii Family Forum, Hawaii Government Employees Association, Hawaii State AFL-CIO, and the International Brotherhood of Electrical Workers Local Union 1260. The Chamber of Commerce of Hawaii, National Federation of Independent Businesses, and the Retail Merchants of Hawaii submitted comments in opposition. The Department of Labor and Industrial Relations submitted comments.

Your Committee finds that a growing number of employees need to take family leave to care for elderly family members and loved ones, which often necessitates substituting other types of leave, including vacation leave, when the amount of allowed family leave



is depleted. Your Committee finds that employees should not be forced to exhaust their accrued vacation leave to care for a seriously ill family member. The manner of taking family leave is a decision for the employee.

Your Committee has amended this bill by:

- (1) Changing the effective date of July 1, 2050 to facilitate further discussion on this measure; and
- (2) Make technical, nonsubstantive amendments for clarity and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1833, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1833, S.D. 1.

Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,



ROSALYN H. BAKER, Chair



