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## A BILL FOR AN ACT

RELATING TO EMPLOYMENT.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that it is important to  
2 ensure that employees will not face adverse action from  
3 employers for being absent from work when complying with a  
4 quarantine order to protect public health.

5           The legislature recognizes that the combination of today's  
6 global traveling and the increasing occurrence of infectious  
7 diseases poses a substantial risk to the public health and  
8 safety. For example, the 2003 outbreak of severe acute  
9 respiratory syndrome required quarantines in Asia and Canada on  
10 a large scale. Additional infectious diseases are expected to  
11 arise that will require containment measures to protect public  
12 health. Quarantine has been proven effective in stopping the  
13 spread of infectious diseases and protecting public health.

14 Individual quarantine might also be necessitated by the  
15 continued threat of bioterrorism.

16           The purpose of this Act is to prohibit adverse action by an  
17 employer against an employee who complies with a quarantine  
18 order to ensure the public health.



1 SECTION 2. Chapter 378, Hawaii Revised Statutes, is  
2 amended by adding a new section to part I to read as follows:

3 "§378- Quarantine; discharge from employment  
4 prohibited. (a) No employer shall take any adverse action  
5 against an employee who complies with a quarantine order issued  
6 by the department of health, Centers for Disease Control and  
7 Prevention of the United States Department of Health and Human  
8 Services, or any court of the State to protect the public  
9 health.

10 (b) For purposes of this section, "adverse action" means:  
11 discharging the employee; taking or failing to take action  
12 regarding an employee's promotion or proposed promotion; taking  
13 action to reduce an employee's wages or benefits for actual time  
14 worked; or otherwise disciplining, threatening, or penalizing  
15 the employee."

16 SECTION 3. This Act does not affect rights and duties that  
17 matured, penalties that were incurred, and proceedings that were  
18 begun, before its effective date.

19 SECTION 4. New statutory material is underscored.

20 SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY: Kirk Caldwell  
John M. Mappo  
JAN 15 2008

**Report Title:**

Employment; Quarantine

**Description:**

Prevents adverse action by employer against an employee who refrains from working to comply with a quarantine order to ensure the public health.

