

STAND. COM. REP. NO. 512 -08

Honolulu, Hawaii
Feb 15, 2008

RE: H.B. No. 2520
H.D. 2

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Sir:

Your Committee on Labor & Public Employment, to which was referred H.B. No. 2520, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CAREGIVERS,"

begs leave to report as follows:

The purpose of this bill is to improve the ability of employees who need time off from work to care for a family member with a serious health condition without the threat of encountering financial hardships by amending Hawaii's Temporary Disability Insurance (TDI) Law to permit an eligible employee to collect up to two weeks of TDI benefit payments to care for a family member with a physical or mental condition that warrants the participation of the employee to provide care during the period of treatment or supervision by a health care provider.

The Policy Advisory Board for Elder Affairs, Hawaii Aging Advocates Coalition, Hawaii Teamsters and Allied Workers Local 996, ILWU Local 142, Hawaii Government Employees Association, and numerous concerned individuals supported this bill. The Department of Labor and Industrial Relations, Hawaiian Electric Company, Hawaii Electric Light Company, Maui Electric Company, SHRM Hawaii, National Federation of Independent Business, and General Contractors Association of Hawaii opposed this bill. The Chamber of Commerce of Hawaii did not support this bill.

HB2520 HD2 HSCR LAB HMS 2008-2070



Hawaii's unique cultural and traditional values often result in many of Hawaii's workers being called upon to care for ill or aging family members. As a needs assessment conducted by the University of Hawaii School of Social work on behalf of the Joint Legislative Committee on Family Caregiving pointed out, over 25 percent of Hawaii households contain at least one individual providing informal, unpaid care for an adult aged 60 or older with a physical or cognitive disability. This is only expected to increase over the coming years as Hawaii's population continues to age.

However, serving as a family caregiver for a family member who needs assistance with their activities of daily living comes at a price. Many workers providing care for an ill or injured family member are forced to take time off from work, oftentimes taking unpaid leave. This creates a financial burden on the worker attempting to fulfill family obligations and ultimately affects the family unit as a whole. Allowing workers who also serve as family caregivers to claim TDI benefits in order to provide this assistance to their ill or injured family member will help ease some of this hardship.

Yet, while the intent of this measure is laudable, your Committee recognizes that this is a complex issue and that there remains a number of questions and concerns regarding the provision of TDI benefits for persons other than the ill or injured employee, including increased costs to business, possible conflicts with other statutes such as the Hawaii Family Leave Law, and possible conflicts with federal laws and regulations. Nevertheless, this measure serves as a starting point from which to build important legislation and your Committee finds that this matter deserves further consideration and discussion as it moves through the legislative process.

Accordingly, your Committee has amended this bill by:

- (1) Changing its effective date to July 1, 2059, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

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 H.B. No. 2520, H.D. 1, as amended herein, and recommends that it



be referred to the Committee on Finance in the form attached
hereto as H.B. No. 2520, H.D. 2.

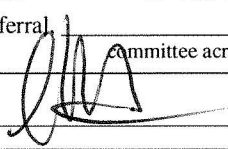
Respectfully submitted on
behalf of the members of the
Committee on Labor & Public
Employment,



ALEX M. SONSON, Chair



Record of Votes of the Committee on Labor & Public Employment

Bill/Resolution No.: HB 2520, HD1	Committee Referral: HLT/HSR, LAB, FIN	Date: 02/12/08		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
LAB Members	Ayes	Ayes (WR)	Nays	Excused
1. SONSON, Alex M. (C)	X			
2. NAKASONE, Bob (VC)				X
3. EVANS, Cindy	X			
4. HAR, Sharon E.	X			
5. LEE, Marilyn B.	X			
6. LUKE, Sylvia	X			
7. McKELVEY, Angus L.K.	X	X		
8. NISHIMOTO, Scott Y.	X			
9. SOUKI, Joseph M.	X			
10. TAKAMINE, Dwight Y.		X		
11. TAKUMI, Roy M.	X			
12. MEYER, Colleen Rose		X		
13. PINE, Kymberly Marcos		X		
TOTAL (13)	8	4	0	1
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral _____ did not support recommendation. _____ Committee acronym(s)				
Vice Chair's or designee's signature: 				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office				