

STAND. COM. REP. NO.

494

Honolulu, Hawaii

MAR 05 2009

RE: S.B. No. 688

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Madam:

Your Committee on Labor, to which was referred S.B. No. 688
entitled:

"A BILL FOR AN ACT RELATING TO EMPLOYMENT,"

begs leave to report as follows:

The purpose of this measure is to establish worker retention
requirements upon the divestiture of a covered establishment.

Testimony in support of the measure was submitted by seven
organizations. Testimony in opposition to the measure was
submitted by one state agency and three organizations. Copies of
written testimony are available for review on the Legislature's
website.

Your Committee finds that this measure would address the
problem of layoffs of employees due to the sale or ownership
change of a business and provides for some stability during the
transition.

Your Committee further finds that this measure provides for
employees to be treated as valued stakeholders in a business and
promotes the fair and respectful treatment of existing employees
during the sale or ownership change of a business.


Your Committee acknowledges the concern that this measure may
impact the value of a business and the ability of owners to
operate the business. However, your Committee believes that this
measure also provides sufficient protections to successor
employers by allowing successor employers to conduct legal, pre-



hire screening to ensure a standard of quality among incumbent employees, to retain fewer than the total number of incumbent employees in certain situations, and to retain the right to manage all employees.

As affirmed by the record of votes of the members of your Committee on Labor that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 688 and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Labor,



DWIGHT Y. TAKAMINE, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Labor
LBR

Bill / Resolution No.:* <i>SB 678</i>	Committee Referral: <i>LBR</i>	Date: <i>2/10/09</i>		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
TAKAMINE, Dwight Y. (C)	✓			
TANIGUCHI, Brian T. (VC)	✓			
BUNDA, Robert	✓			
HEE, Clayton	✓			
SLOM, Sam			✓	
TOTAL	<i>4</i>	<i>0</i>	<i>1</i>	<i>0</i>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>[Signature]</i>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes