

STAND. COM. REP. NO. 930

Honolulu, Hawaii

March 6, 2009

RE: H.B. No. 332
H.D. 2

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Sir:

Your Committee on Finance, to which was referred H.B. No. 332, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY,"

begs leave to report as follows:

The purpose of this bill is to allow victims of domestic and sexual violence to collect unemployment insurance benefits when the victim is separated from employment and is unable to accept otherwise suitable, available work due to domestic or sexual violence.

The Honolulu Department of the Prosecuting Attorney, the Sex Abuse Treatment Center, the Domestic Violence Action Center, the Hawaii State Coalition Against Domestic Violence, and a concerned individual supported this bill. The Department of Labor and Industrial Relations (DLIR) submitted comments.

Your Committee has amended this bill by:

- (1) Deleting the following as good cause for not accepting otherwise suitable, available work:
 - (a) Seeking or residing in an emergency shelter, or relocating; and



- (b) Reasonably believing employment options other than separation from employment would be insufficient to guarantee the safety of the individual or the individual's minor child;
- (2) Deleting the provision deeming an active search for employment takes place if no offered employment opportunity reasonably accommodates the individual's need to care for the effects of the domestic or sexual violence;
- (3) Requiring the certification requested by DLIR to explain how employment creates an unreasonable risk of further violence, rather than requiring an explanation that the loss of employment and continued employment is caused by the domestic or sexual violence;
- (4) Changing the effective date to July 1, 2020 to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 332, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 332, H.D. 2.

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


MARCUS R. OSHIRO, Chair



