

Honolulu, Hawaii

Feb 5, 2009

RE: H.B. No. 982
H.D. 1

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

Sir:

Your Committee on Labor & Public Employment, to which was referred H.B. No. 982 entitled:

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

begs leave to report as follows:

The purpose of this bill is to gather information about and to assist employees who provide family caregiving services by, among other things:

- (1) Widening the scope of applicability of Hawaii's Family Leave Law from employers employing 100 or more employees to employers employing 50 or more employees; and
- (2) Creating a family leave data collection system that is capable of analyzing and reporting family caregiving data for both public and private employees.

The Hawaii Teamsters and Allied Workers, Local 996, ILWU Local 142, Policy Advisory Board for Elder Affairs, and two concerned individuals testified in support of this bill. The Hawaii Government Employees Association supported the intent of this measure. The Department of Labor and Industrial Relations and The Chamber of Commerce of Hawaii did not support this bill.

With Hawaii's aging population, more and more adults need some kind of help in caring for themselves. Oftentimes, this caregiving need is met by younger family members who are currently



employed and necessitates the use of family leave for these caregiving purposes. Increasing the availability of family leave to employees who work for companies with 50 or more employees will go a long way toward assisting family caregivers.

Your Committee finds that the Legislature noted the difficult situation family caregivers faced when it enacted Act 243, Session Laws of Hawaii 2008 (Act 243). Act 243 established a family leave working group to explore the provision of wage replacement benefits to employees who needed to take time off from work to care for a family member with a serious health condition. Although the working group met a number of times to discuss this issue, they were unable to reach a consensus as to what to do about this problem, due in part to a lack of data with which to develop estimates of the number of participants in a paid leave program and the potential costs of such a program. The data-collection system proposed in this measure should provide needed information for policymakers to make an informed decision on this subject.

Your Committee has amended this bill by 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. 982, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 982, H.D. 1, and be referred to the Committees on Higher Education and Legislative Management.

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

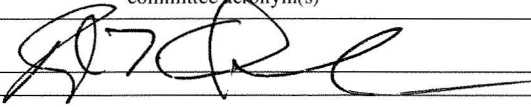


KARL RHOADS, Chair



State of Hawaii
House of Representatives
The Twenty-fifth Legislature

Record of Votes of the Committee on Labor & Public Employment

Bill/Resolution No.: HB 982	Committee Referral: LAB, HED/LMG, FIN	Date: 2-3-09		
<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. RHOADS, Karl (C)	/			
2. YAMASHITA, Kyle T. (VC)	/			
3. AQUINO, Henry J.C.	/			
4. AWANA, Karen Leinani	/			
5. HANOHANO, Faye P.	/			
6. KEITH-AGARAN, Gilbert S.C.	/			
7. LEE, Marilyn B.	/			
8. NAKASHIMA, Mark M.	/			
9. SAIKI, Scott K.	/			
10. SOUKI, Joseph M.	/			
11. TAKUMI, Roy M.	/			
12. PINE, Kymberly Marcos		/		
TOTAL (12)	11	1		
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small>committee acronym(s)</small>				
Vice Chair's or designee's signature: 				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				