

STAND. COM. REP. NO. **439**

Honolulu, Hawaii

FEB 20 2009

RE: S.B. No. 823  
S.D. 1

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. 823  
entitled:

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

begs leave to report as follows:

The purpose of this measure is to require employers to notify  
employees annually of their entitlement to family leave, as well  
as possible adverse impact of taking family leave.

Testimony in support of this measure was submitted by one  
organization and one public citizen. Testimony in opposition was  
submitted by one state agency and three organizations. Written  
testimony presented to the Committee may be reviewed on the  
Legislature's website.

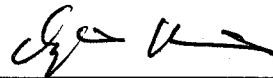
Your Committee finds a discrepancy exists between the types  
of eldercare policies and benefits that employers offer and what  
working caregivers believe is offered. According to recent  
studies on elder care, eighty per cent of employers say that they  
offer paid bereavement leave while only 4.7 per cent of employed  
caregivers know of this benefit. About seventy per cent of  
employers offer unpaid family leave while only eighteen per cent  
of working caregivers are aware of this benefit. Only five per  
cent of working caregivers know their employers offer leave  
without pay, but employers say that 66.3 per cent of them offer  
this benefit.



Your Committee finds an annual notice requirement is a costly burden on the employer. Your Committee adopts the recommendations of the Department of Labor and Industrial Relations to amend the measure to conform to posting requirements of chapters 387 and 388, Hawaii Revised Statutes. These laws require employers to keep information posted in a conspicuous place that all employees have access to, which provides a daily reminder to individuals and prevents a waste of resources.

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. 823, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 823, S.D. 1, and be placed on the calendar for Third Reading.

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



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DWIGHT Y. TAKAMINE, Chair



The Senate  
 Twenty-Fifth Legislature  
 State of Hawaii

**Record of Votes**  
**Committee on Labor**  
**LBR**

Bill / Resolution No.:* <b>SB 823</b>	Committee Referral: <b>LBR</b>	Date: <b>2/5/09</b>		
<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 type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
<b>Members</b>	<b>Aye</b>	<b>Aye (WR)</b>	<b>Nay</b>	<b>Excused</b>
TAKAMINE, Dwight Y. (C)	✓			
TANIGUCHI, Brian T. (VC)	✓			
BUNDA, Robert	✓			
HEE, Clayton				✓
SLOM, Sam	✓			
<b>TOTAL</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>1</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

\*Only one measure per Record of Votes