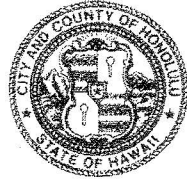


POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

801 SOUTH BERETANIA STREET · HONOLULU, HAWAII 96813
TELEPHONE: (808) 529-3111 · INTERNET: www.honolulu-pd.org

MUEI HANNEMANN
MAYOR



BOISSE P. CORREA
CHIEF

PAUL D. PUTZULU
KARL A. GODSEY
DEPUTY CHIEFS

OUR REFERENCE JM-AS

February 3, 2009

The Honorable Karl Rhoads, Chair
and Members
Committee on Labor and Public Employment
House of Representatives
State Capitol
Honolulu, Hawaii 96813

Dear Chair Rhoads and Members:

Subject: House Bill No. 31, Relating to Discriminatory Practices

The Honolulu Police Department has comments on House Bill No. 31, which establishes language that prohibits any employer from refusing to hire or employ or discriminate against any individual because of his/her credit history or credit report.

All employers who utilize credit reports are regulated by the Fair Credit Reporting Act (FCRA), which is enforced by the Federal Trade Commission. We support the protection of all individuals from discriminatory employment practices; however, we believe credit history and credit reports assist public safety employers in conducting a more thorough background screening of potential employees. Credit history and credit reports, in conjunction with other personal history and background information, provide a more comprehensive portrait of an individual's suitability for employment in a position of trust in a public safety agency. Therefore, we request that public safety and law enforcement agencies be allowed an exemption.

If this bill is advanced, we urge you to delete "directly" relates and replace it with "rationally" relates to a bona fide occupational qualification.

Thank you for the opportunity to testify.

Sincerely,

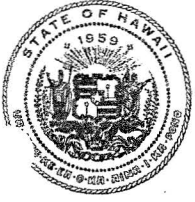

JOHN MCENTIRE, Major
Honolulu Police Department

APPROVED:


BOISSE P. CORREA
Chief of Police

Serving and Protecting With Aloha

000201




HAWAII CIVIL RIGHTS COMMISSION

830 PUNCHBOWL STREET, ROOM 411 • HONOLULU, HI 96813-5095 • PHONE: (808) 586-8636 • FAX: (808) 586-8655 • TDD: (808) 586-8692

January 29, 2009

To: The Honorable Karl Rhoads, Chair
and Members of the House Committee on Labor and Public Employment

From: Livia Wang,^w Acting Chief Counsel
Bill Hoshijo, Executive Director 

Re: H.B. No. 31

The Hawai'i Civil Rights Commission (HCRC) staff submits this memorandum to inform the Committee that the HCRC will not be able offer testimony on H.B. No. 31 at the hearing scheduled for the morning of February 3, 2009, because the HCRC Commissioners have not met to review and take a position on this bill. A meeting for Commission review of legislative proposals is scheduled for the earliest possible date, 4 p.m. on February 3, 2009, at which time the Commissioners will take a position on this and other bills. After this meeting, the HCRC position on H.B. No. 31 will be decided and testimony will be submitted accordingly.

The HCRC takes its role and authority to testify and make recommendations to the legislature very seriously, and will do everything possible to assist you in your consideration of bills that affect HCRC jurisdiction and civil rights. We hope the temporary constraints we face will not cause inconvenience or difficulty for the House Committee on Labor & Public Employment. Please let us know if we can provide you any background information or answer any questions. Thank you for your understanding and patience.

000202

HAWAII TEAMSTERS AND ALLIED WORKERS, LOCAL 996

Affiliated with the International Brotherhood of Teamsters

1817 Hart Street
Honolulu, Hawaii 96819-3205

Telephone: (808) 847-6633
Fax: (808) 842-4575

Rep. Karl Rhoads, Chair
Rep. Kyle Yamashita, Vice-Chair
Committee on Labor and Public Employment

Glenn Ida
Representative
Tuesday, Feb.3, 2009, 8:30 AM
Conference Room 309

Support of HB 31, Relating to Employment Practices.

The Hawaii Teamsters Local 996 opposes the unlawful discrimination of any form in the workplace.

The Hawaii Teamsters Local 996 strongly supports, HB 31, Relating to Employment Practices.

Thank you for allowing me to testify this morning.

000203

The Twenty-Fifth Legislature
Regular Session of 2009

HOUSE OF REPRESENTATIVES
Committee on Labor & Public Employment
Rep. Karl Rhoads, Chair
Re. Kyle T. Yamashita, Vice Chair

State Capitol, Conference Room 309
Tuesday, February 3, 2009; 8:30 a.m.

**STATEMENT OF THE ILWU LOCAL 142 ON H.B. 31
RELATING TO EMPLOYMENT PRACTICES**

The ILWU Local 142 supports H.B. 31, which establishes the employer's use of an individual's credit history in hiring and termination decisions as an unlawful discriminatory practice.

An employee's credit history should be confidential from his employer. The employer is not loaning him money to buy a house or a car. The employer should only be concerned that the employee is able to perform his or her job satisfactorily. Whether or not the employee was late making loan or credit card payments or has too much debt, all of which could be reflected in the employee's credit history, is none of the employer's concern--unless the information in the credit history has a direct relation to the employee's job.

The ILWU urges passage of H.B. 31. Thank you for the opportunity to testify.



CDIA

CONSUMER DATA INDUSTRY ASSOCIATION
Empowering Economic Opportunity

Writer's Direct Dial: 202-408-7407

Writer's Email: eellman@cdiaonline.org

February 2, 2009

The Honorable Karl Rhoads
Chair, House Labor & Public Employment
Honolulu, HI 96813

**Re: Opposition to H.B. 31- Relating to Employment Practice:
Hearing Date: Tuesday, February 3, 2009 at 8:30 a.m.**

Dear Chairman Rhoads:

I write on behalf of the Consumer Data Industry Association (CDIA) to express opposition to H.B. 31, concerning discrimination in employment based on a credit report.

By way of background, CDIA was founded in 1906 and is the international trade association that represents nearly over 200 consumer data companies. CDIA members represent the nation's leading institutions in credit reporting, mortgage reporting, check verification, fraud prevention, risk management, employment reporting, tenant screening and collection services.

House Bill 31 would make it a discriminatory practice for

any employer to refuse to hire or employ or to bar or discharge from employment, or otherwise to discriminate against any individual in compensation or in the terms, conditions, or privileges of employment of any individual because of the individual's credit history or credit report, unless the information in the individual's credit history or credit report directly relates to a bona fide occupational qualification under section 378-3(2).

Employers work hard to create working environments that are safe and secure for themselves, their employees and their customers. Employees and customers expect and demand safety and security in places they work and visit. It is important to consider the bill in light of some key statistics. For example, employee theft accounts for more than \$15 billion annually and the average employee embezzlement totals more than \$125,000.

We understand that there may be a concern regarding an employer's potential misuse of credit reports. However, House Bill 31 may have the unintended consequence of discouraging employers from using a key tool that they might use to screen for possible fraud or other financial crimes. We urge your committee not to pass H.B. 31.

Please do not hesitate to contact me with any questions or comments.

Sincerely,

Eric J. Ellman
Vice President, Public Policy and Legal Affairs