

HCR 15



**Before the Senate Committee on Human Services
and the Senate Committee on Labor**

DATE: April 24, 2009

TIME: 9:30 a.m.

PLACE: Conference Room 229

**Re: HCR 15 ENCOURAGING STAKEHOLDERS AND INTERESTED
PARTIES TO WORK TOGETHER TO ESTABLISH PAID FAMILY LEAVE
OR SIMILAR WAGE REPLACEMENT PROGRAMS TO ASSIST FAMILY
CAREGIVERS.**

Testimony of Melissa Pavlicek for NFIB Hawaii

Thank you for the opportunity to testify in opposition to this resolution.

The National Federation of Independent Business is the largest advocacy organization representing small and independent businesses in Washington, D.C., and all 50 state capitals. In Hawaii, NFIB represents 1,200 members and works with and on behalf of employers across the state.

We support returning and keeping workers in the workforce, but we are concerned that working toward employer paid leave, particularly in these challenging economic times, will result in employers being able to employ fewer workers.



Chair, Senator Suzanne Chun Oakland
Vice-chair, Senator Les Ihara, Jr.
Committee: Human Services

Chair, Senator Dwight Takamine
Vice-chair, Brian Taniguchi
Committee: Labor

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Testimony date: Friday, April 24, 2009

STRONG OPPOSITION TO HCR 15: ENCOURAGING STAKEHOLDERS AND INTERESTED PARTIES TO WORK TOGETHER TO ESTABLISH PAID FAMILY LEAVE OR SIMILAR WAGE REPLACEMENT PROGRAMS TO ASSIST FAMILY CAREGIVERS.

SHRM Hawaii is the local chapter of a National professional organization of Human Resource professionals. Our 1,200+ Hawaii membership includes those from small and large companies, local, mainland or internationally owned - tasked with meeting the needs of employees and employers in a balanced manner, and ensuring compliance with laws affecting the workplace. We (HR Professionals) are the people that implement the legislation you pass, on a day-to-day front line level.

SHRM Hawaii strongly opposes HCR 15, which encourages the establishment of paid family leave or similar wage replacement programs to assist family caregivers.

The resolution as written would duplicate some of the protections currently provided by the Family Medical Leave Act (FMLA) and Hawaii Family Leave Act (HFLA), which provide employment status protection and continuation of employer paid benefits, such as medical insurance benefits, while an employee is on either leave, which could be up to 12 weeks. These leaves can be taken to care for an employee's spouse, parents, children, and/or dependents.

Our existing Hawaii law (HFLA) currently expands on the Federal law (FMLA) to include time off to care for an employee's parents (biological, hanai, parent-in-laws, foster/adoptive, step-parents,) grandparents (biological, adoptive, and in-law), legal guardians, children, and all dependents. Also, under HFLA, an employee has the option to use their personal sick time off while on leave to help financially offset their loss of wages. Therefore, it would be burdensome and complex for employers to administrate an additional law.

It is for these reasons SHRM Hawaii strongly opposes HCR 15.

Thank you for the opportunity to testify. SHRM Hawaii offers the assistance of its Legislative Committee members in discussing this matter further.