

Honolulu, Hawaii

Feb 8, 2010

RE: H.B. No. 2202  
H.D. 1

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Fifth State Legislature  
Regular Session of 2010  
State of Hawaii

Sir:

Your Committee on Labor & Public Employment, to which was referred H.B. No. 2202 entitled:

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

begs leave to report as follows:

The purpose of this bill is to assist unemployed individuals who do not have Internet access or are unfamiliar with conventions of the Internet by prohibiting the Department of Labor and Industrial Relations (DLIR) from requiring individuals to register their availability to work online.

The ILWU Local 142, United Public Workers AFSCME Local 646 AFL-CIO, and a concerned individual testified in support of this bill. DLIR opposed this measure.

Under current law, claimants for unemployment insurance benefits are required to post job availability information that includes, among other things, the claimant's name, job skills, education, training, prior employment history, and other relevant occupational information. This "online resume" is intended to serve as a tool for helping claimants seek new employment. However, it also poses a disadvantage to claimants who do not have Internet access or are unfamiliar with using the Internet and may result in these claimants not receiving unemployment benefits in a timely manner.



However, your Committee notes DLIR's contention that Internet job matching is the most efficient method of matching a jobseeker's skills and interests with an employer's needs and available employment, which is beneficial to all parties involved. Accordingly, your Committee has amended this measure by:

- (1) Deleting the provisions prohibiting DLIR from requiring individuals to register their availability to work online;
- (2) Inserting language that requires DLIR to either:
  - (A) Allow an individual to post the required information independently on the department's Internet job-matching system; or
  - (B) Accept relevant occupational information provided by the individual on a document prescribed by the department and enter the necessary information on the department's Internet job-matching system for the individual;
- (3) Deleting language repealing the definitions of "registered for work" or "registration for work"; and
- (4) Deleting language requiring DLIR to adopt, modify, and repeal rules of general application to address the prohibition.

Technical, nonsubstantive amendments were also made 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. 2202, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2202, H.D. 1, and be referred to the Committee on Finance.



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

*Karl Rhoads*

---

KARL RHOADS, Chair



State of Hawaii  
House of Representatives  
The Twenty-fifth Legislature

HSCR 175-10

**Record of Votes of the Committee on Labor & Public Employment**

Bill/Resolution No.: <b>HB 2202</b>	Committee Referral: <b>LAB, FIN</b>	Date: <b>1-29-10</b>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input checked="" 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				/
<b>TOTAL (12)</b>	<b>11</b>	<b>—</b>	<b>—</b>	<b>1</b>
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				