

Honolulu, Hawaii

Feb 8, 2010

RE: H.B. No. 2257  
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. 2257 entitled:

"A BILL FOR AN ACT RELATING TO UNEMPLOYMENT INSURANCE  
BENEFITS,"

begs leave to report as follows:

The purpose of this bill is to assist unemployed individuals by allowing those partially unemployed individuals who are employed part-time by a secondary employer while attached to a regular employer that is not offering work to retain unemployment insurance benefits even if the employee voluntarily or involuntarily separates from the part-time employment.

The Hawaii Building and Construction Trades Council, AFL-CIO; Hawaii Government Employees' Association; and ILWU Local 142 testified in support of this bill. The Department of Labor and Industrial Relations testified in opposition to this measure.

Currently, individuals who are attached to an employer but separated from that employer because of lack of work may receive "partial" unemployment insurance (UI) benefits. This exempts that individual from work registration and job search requirements because the individual is obligated to be available for work by the employer the worker is attached to and it is expected that work will be available in a timely manner. In addition, the claimant may voluntarily seek part-time or full-time employment to supplement or supplant the UI benefits that are being received.



However, should this individual be separated from employment with the secondary employer, the possibility exists that the individual would be disqualified from receiving any UI benefits. This measure attempts to correct this issue.

Your Committee has amended this bill by:

- (1) Stipulating that an individual shall not be disqualified for benefits for any week in which the individual separates from an employer offering part-time employment even if separation is for good cause;
- (2) Clarifying that to qualify for the appropriate UI benefits, an individual must be attached to a regular employer; and
- (3) 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. 2257, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2257, 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,



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KARL RHOADS, Chair



State of Hawaii  
House of Representatives  
The Twenty-fifth Legislature

HSCR 176-10

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

<b>Bill/Resolution No.:</b> HB 2257	<b>Committee Referral:</b> LAB, FIN	<b>Date:</b> 2-2-2010		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
<b>The recommendation is to:</b> <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				/
<b>TOTAL (12)</b>	11	-	-	1
<b>The recommendation is:</b> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small style="margin-left: 100px;">committee acronym(s)</small>				
<b>Vice Chair's or designee's signature:</b> _____				
<b>Distribution:</b> Original (White) – Committee            Duplicate (Yellow) – Chief Clerk's Office            Duplicate (Pink) – HMSO				