

Honolulu, Hawaii  
Feb 3, 2010

RE: H.B. No. 2636

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. 2636 entitled:

"A BILL FOR AN ACT RELATING TO DISLOCATED WORKERS,"

begs leave to report as follows:

The purpose of this bill is to authorize the Department of Labor and Industrial Relations to exercise enforcement powers against an employer in a covered establishment to require the employer to adhere to and comply with the notification and penalty provisions of section 394B-9, Hawaii Revised Statutes.

The ILWU Local 142 testified in support of this bill.

Your Committee notes that the 2007 Legislature amended the Dislocated Workers Act to include penalties against an employer for failure to provide notice in the event of a closure, divestiture, partial closing, or relocation of a business. However, to enforce penalties, an aggrieved worker must file a claim in court, subjecting the worker to expense and delays that ultimately serve as a deterrent to seeking the penalties.

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. 2636 and recommends that it pass Second Reading and be referred to the Committee on Judiciary.



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

*Karl Rhoads*

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KARL RHOADS, Chair



