

STAND. COM. REP. NO.

37

Honolulu, Hawaii

Feb 5, 2009

RE: H.B. No. 332

H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Sir:

Your Committee on Labor & Public Employment, to which was referred H.B. No. 332 entitled:

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

begs leave to report as follows:

The purpose of this bill is to reduce the economic effects of domestic or sexual violence to employers and employees by providing unemployment insurance benefits to individuals who are separated from their employment as a result of domestic or sexual violence.

The Department of the Prosecuting Attorney of the City and County of Honolulu, Hawaii State Coalition Against Domestic Violence, and Domestic Violence Action Center testified in support of this bill. The Department of Labor and Industrial Relations (DLIR) supported the intent of this measure.

Victims of domestic violence are often at greater risk of losing their employment. Oftentimes, domestic abusers, as a means of maintaining control over their victim, target their victim's places of employment and their ability to remain financially self-sufficient. By allowing victims of domestic or sexual violence to be eligible for unemployment benefits if they are forced to leave their jobs due to the effects of their victimization, they will retain the means to be financially secure. Your Committee finds that this will strengthen the safety and security of victims of domestic or sexual violence.

HB332 HD1 HSCR LAB HMS 2009-1662



While your Committee understands the concerns raised by DLIR regarding possible conflicts with federal law and the noncharging of benefits paid in discharge of individuals who are victims of domestic or sexual violence, the importance of this matter warrants further discussion. Your Committee notes the willingness of DLIR to work with the Committee in addressing these concerns as the bill moves forward in the legislative process.

Your Committee has amended this bill by:

- (1) Providing a 30-day grace period from the date of the individual's loss of employment before an individual must actively seek employment; and
- (2) 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. 332, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 332, H.D. 1, and be referred to the Committee on Human Services.

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

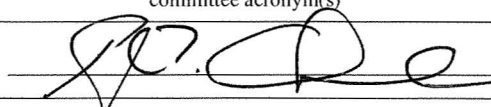


KARL RHOADS, Chair



State of Hawaii
House of Representatives
The Twenty-fifth Legislature

Record of Votes of the Committee on Labor & Public Employment

Bill/Resolution No.: HB 332	Committee Referral: LAB, HUS, FIN	Date: 1-30-09		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <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	/			
TOTAL (12)	11	-	-	1
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				