

Honolulu, Hawaii
March 19, 2010

RE: S.B. No. 2341
S.D. 1
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 Committees on Human Services and Labor & Public
Employment, to which was referred S.B. No. 2341, S.D. 1, entitled:

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

beg leave to report as follows:

The purpose of this bill is to help provide increased
employment security for victims of domestic abuse by adding
domestic abuse victims as a protected class under the employment
discrimination law.

The Hawaii State Coalition Against Domestic Violence and
several concerned individuals testified in support of this bill.
The Hawaii Civil Rights Commission (HCRC) supported the intent of
this measure. The Society for Human Resource Management opposed
this bill.

Your Committees acknowledge that the proposed new protected
class may require additional funding and staffing for the HCRC in
light of data suggesting that this protected class will be large.

Upon careful consideration, your Committees have amended this
bill by:

- (1) Making the protected status of domestic abuse victims
contingent upon the domestic abuse victim providing
notification to the victim's employer;



- (2) Inserting language to state that where an employer is required to provide reasonable accommodations to the domestic violence victim, those accommodations will be provided unless it would cause an undue hardship to the employer;
- (3) Including a sunset date of June 30, 2012;
- (4) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Human Services and Labor & Public Employment that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2341, S.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2341, S.D. 1, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committees on Human Services
and Labor & Public Employment,



KARL RHOADS, Chair



JOHN M. MIZUNO, Chair



HSCR 845-10

Record of Votes of the Committee on Human Services

Bill/Resolution No.: <i>SB 2341 SD1</i>	Committee Referral: <i>HUS LAB, JUD</i>	Date: <i>3/15/10</i>		
<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)				
HUS Members	Ayes	Ayes (WR)	Nays	Excused
1. MIZUNO, John M. (C)	/			
2. BROWER, Tom (VC)	/			
3. BELATTI, Della Au				/
4. BERTRAM, Joe, III				/
5. CARROLL, Mele				/
6. NISHIMOTO, Scott Y.	/			
7. SHIMABUKURO, Maile S.L.	/			
8. YAMANE, Ryan I.	/			
9. WARD, Gene	/			
TOTAL (9)	<i>6</i>	<i>0</i>	<i>0</i>	<i>3</i>
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: <i>Tom Brown</i>				
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