



March 12, 2010

LATE TESTIMONY

To: Honorable Karl Rhoads, Chair
House Committee on Labor and Public Employment

Fr: Keith Vieira
Senior Vice President of Operations,
Starwood Hotels & Resorts, Hawaii & French Polynesia

RE: **SB 2883, SD1 – Relating to Employment Practices - Oppose**
LAB Committee – Conference Room 309, March 12, 2010, 10 AM

Aloha Chair Rhoads, Vice Chair Yamashita and Members of the Committee:

Thank you for the opportunity to share our views on SB 2883, SD1 – Relating to Employment Practices. If passed, this bill provides that conflicts between a collective bargaining agreement and an employer's policy that concern accrued and available sick leave shall require the terms of the collective bargaining agreement to prevail.

We support the rights of workers and diligently work to foster a nurturing environment for our employees. However, we do have concerns that this bill may inadvertently set a bad precedent.

Sick leave has long been a benefit for employees. Along with vacation or personal leave, businesses generally offer this benefit to employees to create a healthy work environment and to foster a positive relationship with its employees. The passage of this bill would have the opposite effect and may cause many businesses to reduce or eliminate voluntary sick leave and would be a negative impact to employees.

The federal Family Medical Leave Act (FMLA) and the Hawaii Family Leave Act (HFLA) for employees provides appropriate safeguards and a safety net for employees to take additional leave to care for loved ones.

Finally, this bill although well intended, does have technical problems since it would apply to employees under collective bargaining agreements and exempt employees with negotiated benefits packages.

For these reasons, we respectfully request that you do not pass this bill.

