
HOUSE CONCURRENT RESOLUTION

REQUESTING THE UNITED STATES CONGRESS TO EXAMINE FEDERAL LAWS
AND REGULATIONS TO ALLOW STATES TO MORE READILY ENACT
UNEMPLOYMENT COMPENSATION-RELATED LAWS THAT ALLOW FEAR OF
DOMESTIC OR SEXUAL VIOLENCE TO BE A VALID REASON FOR NOT
ACCEPTING SUITABLE WORK.

1 WHEREAS, domestic violence and sex assault is an
2 international issue that permeates all levels of society, and
3 affects people regardless of age, income, education, religion,
4 or culture; and

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6 WHEREAS, a February 2008, report from the United States
7 Centers for Disease Control and Prevention indicated that 23.6
8 percent of women and 11.5 percent of men reported at least one
9 lifetime episode of intimate-partner violence; and

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11 WHEREAS, the cost of domestic violence to the United States
12 economy is more than \$8.3 billion annually, which impacts a
13 wide-range of areas including medical care, mental health
14 services, and lost productivity; and

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16 WHEREAS, in addition to the physical and psychological
17 effects of domestic violence on the victim and the victim's
18 family, there are job-related consequences; and

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20 WHEREAS, such violence results in nearly 8,000,000 lost
21 days of paid work per year, or the equivalent of 32,000 full-
22 time jobs; and

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24 WHEREAS, October 2006, United States Bureau of Labor and
25 Statistics data indicates that domestic violence entering the
26 workplace accounts for 24 percent of workplace violence
27 incidents; and



1 WHEREAS, a study of three large companies in 39 states
2 indicated that ten percent of the workers who responded to the
3 survey were currently going through some form of domestic abuse,
4 and an additional 19 percent of men and 30 percent of women said
5 they had been victims at some point in their lives; and
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7 WHEREAS, in some cases, victims of domestic abuse are
8 victimized in the workplace, thereby creating a dangerous
9 situation not only for the victim, but also for persons at the
10 workplace; and
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12 WHEREAS, safety of all persons in the workplace should be a
13 top priority; and
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15 WHEREAS, domestic violence can impede job search efforts
16 for victims of domestic violence who must look for a safe place
17 to live and care for their children; are healing from injuries;
18 or must leave their jobs for fear of their safety and their co-
19 workers; and
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21 WHEREAS, federal unemployment insurance laws require
22 claimants to be "able and available" to work, as well as
23 actively seeking work, which can be challenging for victims who
24 are searching for work or must leave work because of domestic
25 violence; and
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27 WHEREAS, victims of domestic or sexual violence may not be
28 able to meet the "able and available" work requirement under
29 unemployment insurance laws; now, therefore,
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31 BE IT RESOLVED by the House of Representatives of the
32 Twenty-sixth Legislature of the State of Hawaii, Regular Session
33 of 2011, the Senate concurring, that the United States Congress
34 is requested to examine federal laws and regulations to allow
35 states to more readily enact unemployment compensation-related
36 laws that will allow fear of domestic or sexual violence to be a
37 valid reason for not accepting suitable work; and
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39 BE IT FURTHER RESOLVED that in examining federal laws and
40 regulations, the United States Congress is requested to review
41 "able and available" work requirements as they apply to victims
42 of domestic or sexual violence who seek unemployment
43 compensation and insurance benefits during periods of
44 unemployment; and



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2 BE IT FURTHER RESOLVED that the United States Congress is
3 urged to consider funding sources, other than the states'
4 unemployment trust fund accounts or other accounts that receive
5 funding from employers, for compensating individuals who would
6 otherwise have qualified for unemployment insurance, except for
7 their being unable to meet the acceptance-of-suitable-work
8 requirements and "able and available" work requirements of the
9 federal unemployment compensation law due to fear of domestic or
10 sexual violence; and

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12 BE IT FURTHER RESOLVED that certified copies of this
13 Concurrent Resolution be transmitted to the President and
14 Majority Leader of the United States Senate, Speaker of the
15 United States House of Representatives, United States Secretary
16 of Labor, Hawaii's Congressional Delegation, Governor of the
17 State of Hawaii, and State Director of Labor and Industrial
18 Relations.

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