

STAND. COM. REP. NO. 911

Honolulu, Hawaii

March 4, 2011

RE: H.B. No. 467  
H.D. 2

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Sixth State Legislature  
Regular Session of 2011  
State of Hawaii

Sir:

Your Committee on Finance, to which was referred H.B. No. 467, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO WHISTLEBLOWERS' PROTECTION,"

begs leave to report as follows:

The purpose of this bill is to provide additional protection to public employees who report violations of the law and other improper activities. Specifically, this bill prohibits a public employer from taking certain threatening or discriminatory actions against a public employee who reports or is about to report:

- (1) Any violation or suspected violation of federal, state, or county law, rule, ordinance, or regulation;
- (2) Any violation or suspected violation of a contract executed by the State, political subdivision of the State, or the United States; or
- (3) Any condition that may significantly threaten the health or safety of the public or the public employee, if the disclosure is made for the purpose of remedying the condition.

The Hawaii Government Employees Association and a concerned individual supported this bill. The Department of Labor and Industrial Relations (DLIR) submitted comments.

HB467 HD2 HSCR FIN HMS 2011-2830

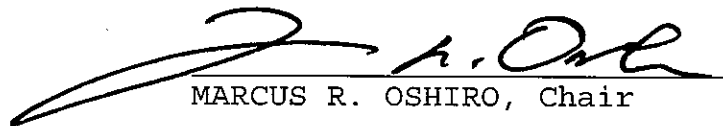


Your Committee has amended this measure by:

- (1) Deleting the provision relating to reports of a condition that may significantly threaten the health or safety of the public or the public employee to leave unfettered the DLIR's ability to timely investigate and provide appropriate remedies and penalties for violations;
- (2) Specifying that the application of section 396-8(e), Hawaii Revised Statutes, relating to whistleblower protections for workers who are discriminated against for exercising their rights under the Hawaii Occupational Safety and Health Law, be included in the workplace notices required to be posted under this measure; and
- (3) Making technical, nonsubstantive amendments for style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 467, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 467, H.D. 2.

Respectfully submitted on  
behalf of the members of the  
Committee on Finance,

  
MARCUS R. OSHIRO, Chair



