

STAND. COM. REP. NO. 474

Honolulu, Hawaii

Feb 18, 2011

RE: H.B. No. 837

H.D. 1

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

Sir:

Your Committees on Labor & Public Employment and Economic Revitalization & Business, to which was referred H.B. No. 837 entitled:

"A BILL FOR AN ACT RELATING TO UNEMPLOYMENT INSURANCE BENEFITS,"

beg leave to report as follows:

The purpose of this bill is to authorize an individual attached to a regular employer, who is not offering work, to receive unemployment insurance benefits even if the individual voluntarily or involuntarily separates from part-time employment, with or without good cause.

The ILWU Local 142; and the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO supports this bill. The Department of Labor and Industrial Relations (DLIR) opposed this measure as drafted and suggested alternate options. The Chamber of Commerce of Hawaii opposed this measure.

One of the goals of this measure is to encourage people who are still attached to a full-time employer but for whom there is no work, to look for positions, generally part-time, while they wait for employment from their full-time employer. If the person then leaves the part-time employment, under current law their unemployment benefits would be at risk and probably lost. This result may be justified for those who lose their part-time employment for misconduct or who quit their part-time employment

HB837 HD1 HSCR LAB-ERB HMS 2011-1893



without good cause. However, your Committees agree with the Director of Labor and Industrial Relations that if a person has good cause to leave part-time employment, the person's unemployment benefits should not be adversely affected. Under such circumstances, an employee should be held to the same standard as anyone who loses a job and applies for unemployment benefits. Therefore, your Committees have amended this bill by inserting the proposed language from DLIR which addresses that issue.

Your Committees also made technical amendments for clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Labor & Public Employment and Economic Revitalization & Business that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 837, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 837, H.D. 1, and be referred to the Committee on Finance.

Respectfully submitted on  
behalf of the members of the  
Committees on Labor & Public  
Employment and Economic  
Revitalization & Business,



ANGUS L.K. MCKELVEY, Chair

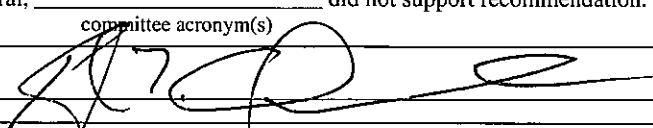


KARL RHOADS, Chair



State of Hawaii  
House of Representatives  
The Twenty-sixth Legislature

Record of Votes of the Committee on Labor & Public Employment

Bill/Resolution No.: <b>HB 837</b>	Committee Referral: <b>LAB/ERB, FIN</b>	Date: <b>2-4-11</b>		
<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. CULLEN, Ty	/			
5. ICHIYAMA, Linda	/			
6. LEE, Marilyn B.	/			
7. LUKE, Sylvia	/			
8. SAIKI, Scott K.	/			
9. SOUKI, Joseph M.	/			
10. TAKUMI, Roy M.	/			
11. FONTAINE, George R.		/		
12. JOHANSON, Aaron Ling		/		
<b>TOTAL (12)</b>	<b>10</b>	<b>2</b>	<b>—</b>	<b>—</b>
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: 				
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