

JAN 20 2012

S.B. NO. 2586

A BILL FOR AN ACT

RELATING TO UNEMPLOYMENT COMPENSATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that the department of
2 labor and industrial relations may not fully understand the
3 retirement processes of the national guard, especially in
4 relation to appropriate documentation. Specifically, the
5 department requires the submission of a DD form 214 from all
6 retired national guard employees that apply for unemployment
7 benefits. However, DD form 214 is only provided to those
8 military members who retire from active duty status. Many
9 national guard employees retire on a guard and reserve status
10 and are provided with an NGB form 22 for documentation purposes,
11 not a DD form 214.

12 The purpose of this Act is to require the department of
13 labor and industrial relations to update its administrative
14 rules to ensure that appropriate documentation is requested of
15 national guard retirees.

16 SECTION 2. Prior to January 1, 2013, the director of labor
17 and industrial relations, after consultation with the state
18 department of defense, shall update the administrative rules of



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1 the department of labor and industrial relations to ensure that
2 the department's policies and forms relating to employment
3 security law accurately reflect the various separation options
4 and related documentation provided to national guard members
5 that would be appropriate to require in connection with
6 unemployment benefits. Rules adopted for the purposes of this
7 section shall be exempt from the public notice and hearing
8 provisions of chapter 91, Hawaii Revised Statutes.

9 SECTION 3. The director of labor and industrial relations
10 shall submit a report to the legislature no later than twenty
11 days prior to the convening of the regular session of 2013 to
12 provide details on the rules adopted pursuant to this Act.

13 SECTION 4. This Act shall take effect upon its approval.
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INTRODUCED BY:

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Report Title:

Unemployment Benefits; Claims; National Guard

Description:

Requires DLIR to update the administrative rules relating to unemployment benefits for national guard members by 01/01/2013. Exempts rules from public notice and hearing requirements. Requires DLIR to report to the legislature.

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