

Honolulu, Hawaii
Jan 25, 2012

RE: H.B. No. 1356
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committee on Labor & Public Employment, to which was referred H.B. No. 1356 entitled:

"A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES,"

begs leave to report as follows:

The purpose of this measure is to provide greater privacy protections for State and county employees while preserving the intent of the Uniform Information Practices Act to promote the public's access to certain types of information by amending the name and compensation disclosure requirement for State and county employees.

The Senator from the 25th Senatorial District, Honolulu Police Department, and Hawaii Government Employees Association testified in support of this measure. Common Cause Hawaii and several concerned individuals testified in opposition to this measure. The Office of Information Practices submitted comments.

Under the Uniform Information Practices Act, information involving public employees such as, among other things, the employee's name, salary, business phone number, job title, business address, and education and training background are required to be made available for public inspection and duplication. With the proliferation of identity theft and the increased ease of dissemination of information, especially on the



Internet, questions have been raised as to the degree to which public employees should be afforded privacy and whether access to employee information should be more restricted.

While your Committee acknowledges the importance of open government and the disclosure of certain types of information for public inspection, it also recognizes the need to balance open government with a limited right to privacy. Your Committee also finds that in cases where a public employee is a victim of domestic abuse or domestic violence, release of information containing the employee's business address or business phone number could have severe consequences for the employee.

Accordingly, your Committee has amended this bill by:

- (1) Specifying that information concerning an employee's education and training background, previous work experience, date of first and last employment, and service computation date shall be restricted from public access;
- (2) Stipulating that business phone numbers and business addresses of domestic abuse or domestic violence victims shall not be released; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1356, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1356, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Labor & Public
Employment,



KARL RHOADS, Chair



