

Honolulu, Hawaii

Feb 16 , 2012

RE: H.B. No. 1680
H.D. 2

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

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1680, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES,"

begs leave to report as follows:

The purpose of this measure is to prevent discrimination in employment practices by prohibiting employers or employment agencies from publishing any advertisement for a job vacancy that requires an applicant to be currently employed as a condition for consideration, interview, or hire. Further, this measure restricts employers and employment agencies from refusing to hire any individual solely on the basis that the individual was not employed when the advertisement for the job vacancy was published.

The Hawaii State AFL-CIO; United Public Workers, AFSCME, Local 646 AFL-CIO; ILWU Local 142; and Hawaii Laborer's Union testified in support of this measure. The Hawaii Civil Rights Commission and The Chamber of Commerce of Hawaii testified in opposition to this measure. The Department of Human Resources of the City and County of Honolulu provided comments on this measure.

Your Committee has amended this measure by:

- (1) Deleting language prohibiting an employer or employment agency from refusing to hire or employ any individual solely because the individual was unemployed at the time the advertisement for the job vacancy was published;



- (2) Changing the effective date to January 7, 2059, to promote further discussion; 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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1680, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.B. No. 1680, H.D. 2.

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



GILBERT KEITH-AGARAN Chair



