

Honolulu, Hawaii

Feb 7, 2012

RE: H.B. No. 2228
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. 2228 entitled:

"A BILL FOR AN ACT RELATING TO BREASTFEEDING IN THE
WORKPLACE,"

begs leave to report as follows:

The purpose of this measure is to ensure full equality for women in the workplace by:

- (1) Requiring employers with twenty or more employees to make reasonable efforts to provide a clean location for breastfeeding employees to express breast milk in privacy;
- (2) Requiring covered employers to post a notice pertaining to this provision in a conspicuous location; and
- (3) Establishing a civil fine for the failure of an employer to provide a location or post notice.

The American Civil Liberties Union of Hawaii, Hawaii State Commission on the Status of Women, Planned Parenthood of Hawaii, Hawaii Women's Coalition, and Hawaii Government Employees Association testified in support of this measure. The Hawaii Civil Rights Commission provided comments.



According to the Hawaii State Commission on the Status of Women, in 2009, fifty percent of all mothers with children younger than twelve months of age were employed with sixty-nine percent of those women being employed full-time. Many of these women often face difficulties in continuing to breastfeed their child while being employed and may have to stop breastfeeding sooner than they wish because of those challenges. Providing clean, private locations for mothers to express breast milk in the workplace will help to solve this problem.

Your Committee has amended this bill by inserting a fine of \$50 for the failure of an employer to provide a location or post notice of a location for breastfeeding employees to express breast milk in privacy. Technical, nonsubstantive amendments were also made for the purposes of 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. 2228, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2228, H.D. 1, and be referred to the Committee on Economic Revitalization & Business.

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



KARL RHOADS, Chair



State of Hawaii
House of Representatives
The Twenty-sixth Legislature

HSCR 139-12

Record of Votes of the Committee on Labor & Public Employment

Bill/Resolution No.: HB 2228	Committee Referral: LAB, ERB, JUD	Date: 1-31-12		
<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. OKAMURA, Tom				/
9. SAIKI, Scott K.	/			
10. SOUKI, Joseph M.	/			
11. TAKUMI, Roy M.	/			
12. FONTAINE, George R.	/			
13. JOHANSON, Aaron Ling	/			
TOTAL (13)	12	-	-	1
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				