

Honolulu, Hawaii

March 2 , 2012

RE: H.B. No. 2228
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. 2228, H.D. 1, 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 amending section 378-10, Hawaii Revised Statutes (HRS), the current law relating to breastfeeding in the workplace by:

- (1) Requiring employers with 20 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 notice pertaining to this provision in a conspicuous location; and
- (3) Establishing a fine of \$50 for the failure of an employer to provide the required location and notice.

The Office of Hawaiian Affairs, American Civil Liberties Union of Hawaii, Hawaii State Commission on the Status of Women, Hawaii State Democratic Women's Caucus, Planned Parenthood of Hawaii, League of Women Voters of Hawaii, and two concerned



individuals supported the measure. The Hawaii Civil Rights Commission offered comments on the measure.

Your Committee has amended this measure by:

- (1) Moving the provisions of this measure to Chapter 387, HRS, regarding wage and hour law;
- (2) Repealing section 378-10, HRS;
- (3) Changing its effective date to January 7, 2059, to promote further discussion; and
- (4) 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. 2228, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2228, H.D. 2.

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



GILBERT KEITH-AGARAN, Chair



