

STAND. COM. REP. NO.

912

Honolulu, Hawaii

March 4, 2011

RE: H.B. No. 341

H.D. 3

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Sixth State Legislature  
Regular Session of 2011  
State of Hawaii

Sir:

Your Committee on Finance, to which was referred H.B. No. 341, H.D. 2, entitled:

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

begs leave to report as follows:

The purpose of this bill is to protect the rights of employees by making it an unlawful practice for any employer or labor organization to bar or discharge from employment, withhold pay from, or demote an employee because the employee uses accrued and available sick leave. This bill also allows an employer or labor organization to require an employee who uses three or more consecutive days of sick leave to provide written verification from a physician indicating that the employee was ill when the sick leave was used.

The Hawaii Government Employees Association, ILWU Local 142, Hawaii State AFL-CIO, International Brotherhood of Electrical Workers (IBEW), IBEW Local 1260, and a concerned individual supported this bill. The Chamber of Commerce of Hawaii; First Hawaiian Bank; Society for Human Resource Management-Hawaii Chapter; National Federation of Independent Business; Hawaiian Telcom; Retail Merchants of Hawaii; Hawaii Credit Union League; Hawaiian Electric Company, Inc.; Hawaii Electric Light Company, Inc.; and Maui Electric Company, Limited; opposed this bill. The Department of Labor and Industrial Relations submitted comments.

HB341 HD3 HSCR FIN HMS 2011-2836

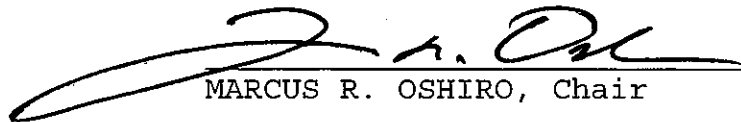


Your Committee has amended this measure by:

- (1) Limiting its scope by making it applicable to employers with 100 or less employees, instead of any employer; and
- (2) Changing its effective date to July 1, 2030, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 341, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 341, H.D. 3.

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

  
MARCUS R. OSHIRO, Chair



