

STATE OF HAWAII  
DEPARTMENT OF DEFENSE

TESTIMONY ON HOUSE BILL 1109  
A BILL FOR AN ACT RELATING TO FAMILY LEAVE

PRESENTATION TO THE  
HOUSE COMMITTEE ON PUBLIC SAFETY AND MILITARY AFFAIRS  
AND  
HOUSE COMMITTEE ON LABOR AND PUBLIC EMPLOYMENT

BY

MAJOR GENERAL DARRYLL D. M. WONG  
INTERIM ADJUTANT GENERAL  
February 11, 2011

Chair Aquino, Chair Rhoads and Members of the Committee:

I am Major General Darryll D. M. Wong, Interim State Adjutant General. I am testifying on House Bill 1109. This bill grants family leave to an employee during any calendar year during a military deployment.

We support the intent of House Bill 1109, however are concerned about the impact on Hawaii business. Additionally, State and federal laws provides family leave up to twelve weeks and applies to employers that have fifty or more employees. Expansion of additional leave benefits to current laws may not be appropriate during such difficult economic situation in our nation and state.

Chair Aquino and Chair Rhoads, thank you for the opportunity to provide this written testimony.



**STATE OF HAWAII  
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS**

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February 8, 2011

To: The Honorable Henry J.C. Aquino, Chair  
The Honorable Karl Rhoads, Chair  
and Members of the House Committee on Public Safety & Military Affairs  
and Members of the House Committee on Labor & Public Employment

Date: Friday, February 11, 2011  
Time: 11:15 a.m.  
Place: Conference Room 309, State Capitol

From: Dwight Y. Takamine, Director  
Department of Labor and Industrial Relations

**Re: H.B. No. 1109 Relating to Family Leave**

**I. OVERVIEW OF PROPOSED LEGISLATION**

H.B. 1109 amends the Family Leave Law, Chapter 398, Hawaii Revised Statutes (HRS) by amending the family leave requirement to permit an employee to utilize family leave time for certain activities when a family member is on active duty or notified of a call to active duty.

**II. CURRENT LAW**

Employees are entitled to a total of four weeks of family leave during any calendar year upon the birth of a child of the employee, the adoption of a child, or to care for the employee's child, spouse or reciprocal beneficiary, or parent with a serious health condition. The care of employees whose family member is in the military is not covered.

**III. HOUSE BILL**

The department supports H.B. 1109.

Hawaii has a rich tradition of cooperation and support of our service members. To extend the ability to take family leave to take care of activities necessitated by a family member who is proudly serving in the defense of one's country is commendable.

Eligible employees to take the leave under this measure are likely to be those not already

covered under the FMLA Military Family Leave Entitlements. These are likely to be employees of companies with 100 or more employees who have worked only 6 months for the company, or are reciprocal beneficiaries or grandparents-in-law of eligible service members.

This measure will also allow all eligible employees of more 100 or more employees to take up to ten sick days for this type of leave where in the federal environment the employer can determine if sick leave will be used.

# THE OAHU VETERANS COUNCIL

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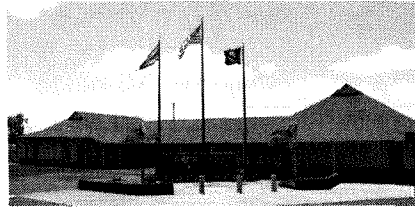
President - Fred Ballard  
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## OAHU VETERANS CENTER EXECUTIVE DIRECTOR

Sandy Ballard

## MEMBER ORGANIZATIONS

5th Regimental Combat Team -  
45th Infantry Division Association.  
Air Force Assn. - Chapter 138  
Air Force Sergeants Association  
American Legion Aux. - Dept. of HI  
American Legion - Dept. of HI  
American Legion - Post 32  
American Veterans Empowerment & Support -  
Community Operations  
BPOE VAVS - Hawaii Dist.  
China-Burma-India Veterans Association.  
Chosin Few - Aloha Chapter  
Combat Infantrymen's Association.  
Combat Veterans Motorcycle Club  
Disabled American Veterans - Chapter 3  
Fleet Reserve Association - Branch  
and Unit 46  
Hawaii Multiple Schools Unit - Jr. ROTC  
Korean War Veterans Assn - Chapter 1  
Military Officers Assn. of America -  
Aloha Chapter  
Military Officers Assn. of America -  
Hawaii State Chapter  
Military Order of the Purple Heart  
Military Order of World Wars  
National Association. for Atomic Veterans  
National Association. of Uniformed Services  
National Sojourners - Hawaiian # 9  
National Sojourners - Honolulu # 11  
National Sojourners - Kamehameha #439  
Pearl Harbor Survivors Association  
Radiated Veterans  
Samoan Providers  
Society of Military Widows - Aloha Chapter  
Sons & Daughters of Pearl Harbor Survivors  
Special Forces Association. - Chapter VIII  
State Office of Veterans Services  
Veterans of Foreign Wars - Dept. of Hawaii  
Veterans of Foreign Wars - Post 970  
Vietnam Veterans of America - Chapter 858  
Waves National - Unit 131  
Women Veterans of America #26



"a gathering place for veterans"  
OAHU VETERANS CENTER

January 27, 2011

## TESTIMONY REGARDING HOUSE BILL 1109 RELATING TO FAMILY LEAVE

### HOUSE COMMITTEE ON PUBLIC SAFETY AND MILITARY AFFAIRS

### HEARING ON FRIDAY, FEBRUARY 11TH, AT 11:15AM, IN CONFERENCE ROOM 309

Aloha Chair Aquino: The Oahu Veterans Council's member organization's identified in the left margin represent the interests of over 80,000 veterans and their families. On Thursday, January 27<sup>th</sup>, our legislative committee voted to testify, in support of House Bill 1109, as follows:

The Oahu Veterans Council firmly believes an employee with a family member in the U.S. armed forces who is on active duty or notified of a call to active duty, should be allowed to use family leave for certain activities for which an employee may take military family leave under federal law.

Oahu Veterans Council delegates performed creditable military service under the flag of the United States of America and the State of Hawaii. We honor our Families, Nation and State under these flags, and firmly believe those who employ our family members should not hesitate to ensure they can be with us on the occasions described in this Bill.

We thoughtfully and respectfully encourage your committee to remind those who reluctantly support this traditional display of patriotism and love of Family, Country and State, of the limitations placed on their sentiments by the US Constitution, in recommending approval of HB1109 as written.

Mahalo for allowing us to testify in support of this very important Bill.

*Fred Ballard*

Fred Ballard; President



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