



January 31, 2012

Testimony to the House Committee on Labor  
Monday, January 21, 2012; 9:00am  
State Capitol, Conference Room 309

**RE: OPPOSE HOUSE BILL 2089 RELATING TO HEALTH**

Dear Chairs Rhoads, Vice Chair Yamashita, and members of the committee:

I am writing on behalf of the membership of the Maui Chamber of Commerce to OPPOSE this bill which will require all employers to provide paid sick and safe leave to employees.

Reading this bill leads me to ask "Do you even know how businesses are faring?"

Close to 90% of our members are small businesses with 25 or less employees. We do business in Maui, not Wall Street. Due to the recession and slow recovery, many are operating with far fewer employees than they did before. Those that can afford to offer sick leave, generally do. However, for many businesses, replacements must be found when an employee is out to cover the required workload. This policy would in essence charge those businesses twice to get the same amount of work done to keep their operations afloat. Most of the businesses we talk with on a regular basis are still desperately trying to retain the jobs they have left, re-hire those they had to lay-off, grow so they can create additional jobs, and rebound from a weakened economy while their costs continue to rise. They may still be standing after all the hits they have taken, but they cannot bear any more. I ask you to please talk to them and listen to what they have to say before creating proposals such as this.

What financial impacts will this bill have on businesses and the economy in Hawaii if this legislation were to pass? It appears to be completely missing from the narrative.

Speaker Say in his Opening Day Remarks discussed the importance of supporting small businesses. We were thrilled to hear it. Small businesses are at the heart of our communities, the true job generators, and they are struggling to survive. Yet, legislation such as this continues to be proposed. This and any legislation that would increase the cost of doing business in this state should be required to include a Business Impact Statement (BIS), detailing the impact on Hawaii's businesses.

From our view, this legislation could be catastrophic to many businesses, causing job losses and insolvency. Do we really have to hit rock bottom before businesses are heard? If you create bills that cause it to happen, who will employ those who lost their jobs? Will you personally share your wealth to do it? Will our state government, who already cannot afford the benefits it offered its employees, creating a huge unfunded liability of \$22 billion and heaping a massive debt on every man, woman, and child in this state?

The truth is that each of us would like to have more time off to care for our own health, our children's health, and our family's health, but the question is at whose expense.

It appears that government thinks the business sector has infinite wealth, can continue to foot social agenda bills, and that employment and increased benefits are a given right. However, our given rights are life, liberty and the pursuit of happiness and employment is at will.

If we want a healthy economy with robust employment opportunities where people can afford to offer such benefits and owners and workers can actually take the time off to use them, then stand up for private sector employers so they can make it happen. They are the ones who risk their own money and lives for the opportunity (not guaranty) to create wealth, jobs, and better qualities of life.

This is just another unnecessary workplace mandate, at the wrong time, which adds additional costs and burdens on businesses.

We ask for your strong leadership this session and beyond to create a "pro-business environment" in Hawaii, reducing the overall costs of doing business in this state and avoiding unnecessary mandates. Supporting small businesses should be our state's top priority to return Hawaii to a place of economic prosperity.

Give employers an environment where they can retain and grow jobs. Please vote NO on HB2089.

If you have any questions, please contact me.

Sincerely,



Pamela Tumpap  
President

REVISED

# hscadv HAWAII STATE COALITION AGAINST DOMESTIC VIOLENCE

To: The Honorable Karl Rhoads, Chair  
The Honorable Kyle Yamashita, Vice-Chair  
HOUSE COMMITTEE ON LABOR & PUBLIC EMPLOYMENT

From: Veronika Geronimo, Executive Director  
Hawaii State Coalition Against Domestic Violence

RE: HB2089 - SUPPORT

Hearing Date and Time: Tuesday, January 31 @ 9:00am

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Good morning Chair Rhoads, Vice-Chair Yamashita, and Members of the Committee. The Hawai'i State Coalition Against Domestic Violence submits the following testimony in support of HB2089. As a statewide coalition of domestic violence service providers, our mission is to engage communities and organizations to end domestic violence through education, advocacy, and action for social justice.

Domestic violence affects many employees. Although studies show that the majority of survivors are female (1 in four women, whereas 1 in 13 men, are survivors), domestic violence affects the lives of both men and women, children and adults, at home and in the workplace, in a variety of workplace settings and occupations. It cuts across all strata of society, without respect to income, ethnicity, culture, gender, sexual preference, age or disability. According to a survey conducted by Corporate Alliance to End Partner violence, 21% of 1,200 surveyed workers reported they currently were or have been a victim of domestic violence.

HB2089 would allow workers time off to care for their health, go to court, get a protective order, see a doctor, or find a safe place to live. Survivors of domestic violence often report that their perpetrator's abuse results in injuries and health care issues that have a significant impact on their work attendance. Sustained injuries such as broken bones, bruises, muscle strains, pregnancy complications due to abuse can prevent survivors from being able to report to work or perform certain job duties.

Survivors' safety may not necessarily involve medical or healthcare, nor may survivors seek out healthcare professionals, solely, when safe leave is necessary. They may feel more comfortable seeking assistance from a community-based agency or program. In addition, healthcare professionals may not be trained to assess levels of violence and danger that may require safe leave. We therefore request that the section on "Use of paid and sick and safe leave" include victim or witness advocate, mental health provider, the employee's attorney, member of the clergy, or a social service or community based organization, in addition to a healthcare

professional, who can provide reasonable documentation indicating that sick and safe leave is necessary for more than three consecutive days. (Section 3, under the Use of paid sick and safe leave, line 4e1).

Studies have shown that a comprehensive workplace response to domestic violence, which includes paid sick and safe leave for employees who are surviving domestic violence will help make workers feels safe, secure and supported, which in turn increases worker productivity.

Thank you for your consideration of this important measure.