

SB2278



NEIL ABERCROMBIE
GOVERNOR

DWIGHT Y. TAKAMINE
DIRECTOR

AUDREY HIDANO
DEPUTY DIRECTOR

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

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February 4, 2012

To: The Honorable Clayton Hee, Chair, Jo Maile Shimabukuro, Vice Chair,
and Members of the House Committee on Human Services

Date: Tuesday, February 7, 2012
Time: 10:15 a.m.
Place: Conference Room 016, State Capitol

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

Re: S.B. No. 2278 Relating to Labor

I. OVERVIEW OF PROPOSED LEGISLATION

SB2278 requires DLIR to make available for certain establishments a poster that provides specific information about human trafficking, including the National Human Trafficking Resource Center hotline, and establishes penalties for violations of the posting requirement.

DLIR is supportive of efforts to combat human trafficking, however, the department feels it is not the appropriate agency to develop and disseminate posters as required in the measure—currently the department only makes required labor law posters available. DLIR is supportive of adding a poster as described in the measure for employers in the same manner as required in other labor law sections of the Hawaii Revised Statutes (HRS)

II. CURRENT LAW

Various sections of the HRS require employers to post labor law information in their establishments where employees work in conspicuous places so employees

may readily observe the information.

DLIR does not provide posters unrelated to employment.

III. COMMENTS ON THE SENATE BILL

The department notes that the measure does not contain an appropriation for the costs of developing the posters in the languages currently required under the Voting Rights Act (P.L. No. 89-110). If the department is required to develop posters in Chinese, Korean, Ilocano and Japanese, then the department requests consideration of funds to do so. Moreover, if the intent of this measure includes reaching the victims of human trafficking, who most often speak languages other than the ones required in the bill, then the department questions using the criteria contained in the Voting Rights Act.

The department questions whether the fines contained in this measure are commensurate with the failure to abide by a posting requirement. Some labor law posting requirements entail sanctions for violations including fines, others do not include sanctions. Some DLIR programs offer information via postings without a statutory requirement.

DLIR notes that currently, due to budget constraints, the department mostly makes posters available via its public website for employers and employees to print or view and supports making a poster available to employers in that same manner as prescribed in the measure.

In summary, DLIR is supportive of adding a poster as described in the measure for employers only, in the same manner as required in other labor law sections of the Hawaii Revised Statutes (HRS).

TESTIMONY

Harm Reduction Hawaii
c/o 1658 Liholiho St #205
Honolulu, HI 96822

To the Senate Committee on Judiciary and Labor
Regarding SB2278 relating to posting of notices and fines
To be heard Tuesday February 7 at 10:15 AM in conference room 016.

Dear Senators:

Oppose this measure or remove the absurd fine please.

Sincerely:



Tracy Ryan
Executive Director, Harm Reduction Hawaii

(808) 534-1846

tracyar@hawaiiantel.net

From: mailinglist@capitol.hawaii.gov
To: [JDLTestimony](#)
Cc: breaking-the-silence@hotmail.com
Subject: Testimony for SB2278 on 2/7/2012 10:15:00 AM
Date: Monday, February 06, 2012 7:39:48 AM

Testimony for JDL 2/7/2012 10:15:00 AM SB2278

Conference room: 016
Testifier position: Support
Testifier will be present: No
Submitted by: Dara Carlin, M.A.
Organization: Individual
E-mail: breaking-the-silence@hotmail.com
Submitted on: 2/6/2012

Comments:
Good Morning Senators ~

Like domestic violence, human trafficking is a larger problem than most realize but no one will know that help's available or that their abuse has a name if it's not put out there. Also please bear in-mind that traffickers target HIGH SCHOOL populations which is why this is such a crucial piece of legislation.

Thank you for your time and consideration.

From: mailinglist@capitol.hawaii.gov
To: [JDLTestimony](#)
Cc: breaking-the-silence@hotmail.com
Subject: Testimony for SB2278 on 2/7/2012 10:15:00 AM
Date: Friday, February 03, 2012 12:13:06 PM

Testimony for JDL 2/7/2012 10:15:00 AM SB2278

Conference room: 016
Testifier position: Support
Testifier will be present: No
Submitted by: Dara Carlin, M.A.
Organization: Individual
E-mail: breaking-the-silence@hotmail.com
Submitted on: 2/3/2012

Comments:

Please support this measure - no one will know about the dangers, risks of and consequences of Human Trafficking if it's not on display for all to view.

Thank you for your time and consideration.

From: mailinglist@capitol.hawaii.gov
To: [JDLTestimony](#)
Cc: imuaalliance@gmail.com
Subject: Testimony for SB2278 on 2/7/2012 10:15:00 AM
Date: Thursday, February 02, 2012 11:17:22 PM
Attachments: [testimony-SB2278.odt](#)

Testimony for JDL 2/7/2012 10:15:00 AM SB2278

Conference room: 016
Testifier position: Support
Testifier will be present: Yes
Submitted by: Kris Coffield
Organization: IMUAlliance
E-mail: imuaalliance@gmail.com
Submitted on: 2/2/2012

Comments:

T A D I A R I C E

322 Aoloa Street, Suite 601
Kailua, HI 96734
Phone (808) 262-6533

February 3, 2012

HOUSE COMMITTEE JUDICIARY AND LABOR

Senator Clayton Hee, Chair

Senator Maile S.L. Shimabukuro, Vice Chair

Date: Tuesday, February 7, 2012.

Time: 10:15 a.m.

Place: Conference Room 016, State Capitol, 415 South Beretania Street

TESTIMONY IN STRONG SUPPORT SB 2278 RELATING TO LABOR (House companion HB1995)

Honorable Senator Clayton Hee:

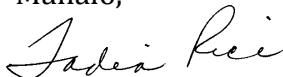
As a Hawaii business professional and individual involved in the education of girls and women around the world, I am aware of the devastating impact sex trafficking has on societies. UNICEF estimates that 1.2 million children worldwide are trafficked. The U.S. Department of State statistics are frightening:

- An estimated 600,000 to 820,000 men, women, and children are trafficked across international borders each year
- Approximately 70 percent are women and girls
- Up to 50 percent are minors
- 300,000 U.S. children are at risk for Commercial Sexual Exploitation every year

Please, residents of Hawaii and concerned citizens around the world, are respectfully asking you to effectively combat the growing problem of Human Trafficking by supporting the passage of state legislation that would require establishments to post **in a conspicuous place** a poster that provides specified information relating to human trafficking and the National Human Trafficking Resource Center hotline.

Please support the passage of S.B. 2278.

Mahalo,



Tadia Rice