

The Twenty-Sixth Legislature
Regular Session of 2012

THE SENATE

Committee on Judiciary and Labor
Senator Clayton Hee, Chair
Senator Maile S.L. Shimabukuro, Vice Chair
State Capitol, Conference Room 016
Tuesday, February 14, 2012; 9:30 a.m.

**STATEMENT OF THE ILWU LOCAL 142 ON S.B. 2487
RELATING TO WORKPLACE PRACTICES**

The ILWU Local 142 supports S.B. 2487, which makes abusive conduct against an employee in the workplace a violation of occupational safety and health law.

Workers subjected to workplace abuse that is severe enough to cause physical or psychological harm must be protected. This bill will make such abuse a violation of occupational safety and health law and will allow the worker to claim for workers' compensation. We think that is fair.

Under the occupational safety and health law, employers are obligated to provide a safe and healthful work environment. This bill, if it becomes law, will put employers on notice that workplace abuse to the extent described in the bill must not be condoned and, in fact, must be prohibited with suitable penalties for violation.

The ILWU urges passage of S.B. 2487. Thank you for the opportunity to testify on this matter.

From: mailinglist@capitol.hawaii.gov
To: [JDLTestimony](#)
Cc: georgialynn96740@gmail.com
Subject: Testimony for SB2487 on 2/14/2012 9:30:00 AM
Date: Monday, February 13, 2012 3:49:27 PM

Testimony for JDL 2/14/2012 9:30:00 AM SB2487

Conference room: 016
Testifier position: Support
Testifier will be present: No
Submitted by: Georgialynn Dainard
Organization: Individual
E-mail: georgialynn96740@gmail.com
Submitted on: 2/13/2012

Comments:

Work Place violence comes in many forms. It can be anywhere from outright harassment to locking someone in their position by blackballing an employee from being able to transfer out of their present position to something else within their company/agency. I personally have experienced workplace violence that was so insidious to the point that I actually had a nervous breakdown and was catatonic for a while. After much therapy, medication, and time, I recovered, but not until after my Psychiatrist had suggested to my husband that I be hospitalized in the Psych Ward and undergo electro shock therapy (which by the way my husband refused). It was determined by a judge for the Social Security Disability court that I had been damaged to the extent that I was permanently disabled and could NEVER work again. Yes, I receive SSDI, however, I was never compensated for what I had endured in the office or what I experienced in its wake.

After leaving my company, I discovered in speaking with other employees of the same workplace in other divisions that I was not the only one to have had the type of experiences that I'd gone through. Apparently it had been common practice within the company to hire the best, burn them up, and toss them out. There were others who'd had breakdowns as I did, but it ran a gamut of health issues such as folks having been hospitalized with bleeding ulcers, etc.

It is way past time that something is put on the books to make companies and persons who commit workplace violence to be held accountable for what they have perpetrated upon the victims of this type of abuse. There should not only be mandates on the books against workplace violence, but laws that back up those mandates so that there are TRUE consequences for those acts. The victims have to jump through hoops in order to prove their cases and even then they are shortchanged by the very justice system that should protect them. Please pass this bill and make the guilty accountable legally finally.

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