

HOUSE OF REPRESENTATIVES
THE TWENTY-SEVENTH LEGISLATURE
REGULAR SESSION OF 2013

RECEIVED

2013 JAN 29 P 6: 53

COMMITTEE ON LABOR & PUBLIC EMPLOYMENT

Rep. Mark M. Nakashima, Chair
Rep. Mark J. Hashem, Vice Chair

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HOUSE OF
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Rep. Henry J.C. Aquino Rep. Ryan I. Yamane
Rep. Linda Ichiyama Rep. Kyle T. Yamashita
Rep. Kaniela Ing Rep. Aaron Ling Johanson
Rep. Roy M. Takumi

NOTICE OF HEARING

DATE: Friday, February 01, 2013
TIME: 8:00 a.m.
PLACE: Conference Room 309
 State Capitol
 415 South Beretania Street

A G E N D A

HB 1028
Status

RELATING TO EMPLOYMENT.

LAB, FIN

Extends the maximum weekly benefit amount at 75% of the average weekly wage from 12/31/2012, to 12/31/2013. Sets, for calendar year 2013, the employer contribution rate at schedule F. Increases the hourly minimum wage to \$8 on 01/01/14, \$8.25 on 01/01/15, and \$8.75 on 01/01/17. Applies retroactively to 01/01/13.

HB 1176
Status

RELATING TO WORKERS' COMPENSATION.

LAB, FIN

Authorizes the employer and provider of services to notify the director of labor and industrial relations in the event of a reasonable disagreement relating to specific medical service charges. Requires that the notice of dispute is done in writing and that the parties negotiate during the thirty-one calendar days following the date of the notice to the director. Allows parties to request the director to render an administrative decision without a hearing in the event the parties fail to reach an agreement within the thirty-one day negotiation period. Establishes that the administrative decision rendered by the director is final and nonappealable.

HB 915
Status

RELATING TO EMPLOYMENT SECURITY LAW.

LAB, FIN

Prohibits noncharging of an employer's account when the employer (or agent) is at fault and imposes a fifteen per cent penalty on fraudulent benefit overpayments effective October 1, 2013; provides for deductions from federal income tax refunds to recover delinquent debts effective April 1, 2013; and allows the withdrawal of fees from the unemployment trust fund effective April 1, 2013



<u>HB 918</u> <u>Status</u>	RELATING TO THE EMPLOYMENT AND TRAINING FUND. Allows Employment and Training Fund moneys collected for the purpose of paying interest assessments on loans to the unemployment trust fund to be used for a period of one year for costs to administer, manage, report, and oversee Title I programs funded under the federal Workforce Investment Act of 1998 for which insufficient federal funds were allocated. Effective July 1, 2013.	LAB, FIN
<u>HB 919</u> <u>Status</u>	RELATING TO STATE EMPLOYMENT. Clarifies exemptions from civil service for federally funded work experience programs and temporary public service employment; allows persons with criminal conviction of a controlled-substance-related offense to participate in such programs provided reasonable safeguards are in place.	LAB, FIN
<u>HB 920</u> <u>Status</u>	RELATING TO APPEALS TO THE LABOR AND INDUSTRIAL RELATIONS APPEALS BOARD. Authorizes the Labor and Industrial Relations Appeals Board to establish a \$30 fee for the filing of appeals and fees for other administrative expenses associated with the processing of appeals and to establish a Labor and Industrial Relations Appeals Board Special Fund.	LAB, FIN
<u>HB 921</u> <u>Status</u>	RELATING TO PROCEEDINGS BEFORE THE LABOR AND INDUSTRIAL RELATIONS APPEALS BOARD. Affirms the authority of the Labor and Industrial Relations Appeals Board to issue orders or take other appropriate action to enforce its rules and orders and allows parties to electronically file appeals to the appellate court.	LAB, FIN
<u>HB 922</u> <u>Status</u>	RELATING TO MEDICAL BENEFITS UNDER THE WORKERS' COMPENSATION LAW. Amends section 386-21(c), Hawaii Revised Statutes, by allowing the Director of Labor and Industrial Relations to make a decision on disputes regarding treatment plans and continued medical services without a hearing.	LAB, FIN
<u>HB 923</u> <u>Status</u>	RELATING TO DISABILITY COMPENSATION DIVISION SPECIAL FUND. Establishes a Disability Compensation Division Special Fund and authorizes the Disability Compensation Division to establish reasonable fees for issuing subpoenas, and filing injury reports and hearings applications; and also authorizes the establishment of and funds two full-time positions.	LAB, FIN
<u>HB 924</u> <u>Status</u>	RELATING TO COLLECTIVE BARGAINING. Authorizes the Hawaii Labor Relations Board to provide written notice of hearing to all parties by first class mail at least fifteen days before the hearing, notwithstanding section 91-9.5, Hawaii Revised Statutes, and makes necessary housekeeping amendments that conform to existing law.	LAB, FIN



<u>HB 925</u> <u>Status</u>	RELATING TO THE EMPLOYMENT SECURITY APPEALS REFEREE'S OFFICE. Modifies the notice period for unemployment appeal hearings from fifteen days to twelve days and authorizes notices and correspondence to be sent electronically in lieu of notice by mail.	LAB, FIN
<u>HB 926</u> <u>Status</u>	RELATING TO OCCUPATIONAL SAFETY AND HEALTH HEARINGS. Authorizes the Hawaii Labor Relations board to provide written notice of hearing to all parties by first class mail at least fifteen days before the hearing, notwithstanding section 91-9.5, Hawaii Revised Statutes, and clarifies the board's powers for conducting appeals under chapter 396, Hawaii Revised Statutes.	LAB, FIN
<u>HB 928</u> <u>Status</u>	RELATING TO CERTAIN FUNDS UNDER THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS. Clarifies the classification of certain special funds under the Department of Labor and Industrial Relations as trust funds as recommended by the Legislative Auditor.	LAB, FIN
<u>HB 929</u> <u>Status</u>	RELATING TO EMPLOYMENT AND TRAINING ASSESSMENT. Beginning January 1, 2013, exempts the employment and training assessment on contributory employers with zero per cent and the maximum rate according to the applicable contribution rate schedule in section 383-68.	LAB, FIN

DECISION MAKING TO FOLLOW

Persons wishing to offer comments should submit testimony at least 24 hours prior to the hearing. Testimony should indicate:

- Testifier's name with position/title and organization;
- The Committee(s) to which the comments are directed;
- The date and time of the hearing; and
- Measure number.

While every effort will be made to incorporate all testimony received, materials received on the day of the hearing or improperly identified or directed, may be distributed to the Committee after the hearing.

Submit testimony in ONE of the following ways:

PAPER: 2 copies (including an original) to Room 326 in the State Capitol;

WEB: For testimony less than 10MB in size, transmit from <http://www.capitol.hawaii.gov/submittestimony.aspx>.

Testimony submitted will be placed on the legislative website after the hearing adjourns. This public posting of testimony on the website should be considered when including personal information in your testimony.

If you require special assistance or auxiliary aids and/or services to participate in the House public hearing process (i.e., sign or foreign language interpreter or wheelchair accessibility), please contact the Committee Clerk at 586-6682 or email your request for an interpreter to HouseInterpreter@Capitol.hawaii.gov at least 24 hours prior to the hearing for arrangements. Prompt requests submitted help to ensure the availability of qualified individuals and appropriate accommodations.

Selected meetings are broadcast live. Check the current legislative broadcast schedule on the "Capitol TV" website at www.capitoltv.org or call 536-2100.



Mark M. Nakashima

Rep. Mark M. Nakashima
Chair

