Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Madam:

     Your Committee on Judiciary and Labor, to which was referred
S.B. No. 1288 entitled:

     "A BILL FOR AN ACT RELATING TO FAMILY LEAVE,"

begs leave to report as follows:

     The purpose and intent of this measure is to allow an
employee to use family leave time to care for a sibling with a
serious health condition.

     Your Committee received testimony in support of this measure
from the Department of Labor and Industrial Relations; Hawaii
Government Employees Association, AFSCME Local 152, AFL-CIO;
United Public Workers, AFSCME Local 646, AFL-CIO; International
Longshore and Warehouse Union, Local 142; and three private
individuals. Testimony in opposition to this measure was
submitted by the Department of Public Safety, Department of Human
Resources Development, The Chamber of Commerce of Hawaii, and
Society of Human Resource Management - Hawaii Chapter.

     Your Committee finds that 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, upon the employee's adoption of
a child, or to care for the employee's child, spouse or reciprocal
beneficiary, or parent with a serious health condition. However,
taking family leave to care for a sibling is not a covered
benefit. By extending employees' authorization to take family
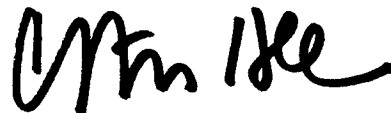leave to care for a sibling with a serious health condition, this

measure exemplifies Hawaii's rich tradition of ohana and caring for family members.

However, the Department of Public Safety testified that this measure may significantly impact the Department's operations because a significant percentage of its staff is already on family leave. Extending family leave to employees to care for their siblings may further increase the amount of family leave privileges exercised by staff thereby impacting the Department's twenty-four-hours, seven-days-a-week operational requirements. Furthermore, the Department of Human Resources Development testified that operations with limited resources will likely incur an increase in overtime costs in order to maintain their level of service to the public. Your Committee believes that this issue and its potential fiscal impact merit further discussion by your Committee on Ways and Means.

Accordingly, your Committee has amended this measure by inserting an effective date of July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1288, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1288, S.D. 1, and be referred to the Committee on Ways and Means.

Respectfully submitted on behalf of the members of the Committee on Judiciary and Labor,

CLAYTON HEE, Chair

2013-1313 SSCR SMA.doc

The Senate
Twenty-Seventh Legislature
State of Hawai'i

Record of Votes
Committee on Judiciary and Labor
JDL

Bill / Resolution No.:*	Committee Referral:	Date:
SB 1288	JDL, WAM	02-07-13

☐ The committee is reconsidering its previous decision on this measure.

If so, then the previous decision was to: _____

The Recommendation is:

☐ Pass, unamended ☑ Pass, with amendments ☐ Hold ☐ Recommit
   2312   2311   2310   2313

Members	Aye	Aye (WR)	Nay	Excused
HEE, Clayton (C)	✓			
SHIMABUKURO, Maile S.L. (VC)	✓			
GABBARD, Mike	✓			
IHARA, Jr., Les	✓			
SLOM, Sam			✓	
TOTAL	4		1	

Recommendation:
☑ Adopted   ☐ Not Adopted

Chair's or Designee's Signature: _____

Distribution:	Original	Yellow	Pink	Goldenrod
	File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy

*Only <u>one</u> measure per Record of Votes