

Honolulu, Hawaii

FEB 12 2013

RE: S.B. No. 562

S.D. 1

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

Madam:

Your Committees on Education and Judiciary and Labor, to which was referred S.B. No. 562 entitled:

"A BILL FOR AN ACT RELATING TO LEAVE,"

beg leave to report as follows:

The purpose and intent of this measure is to prohibit certain employers from discharging or otherwise discriminating against an employee who is a parent, guardian, or grandparent having custody of one or more children in kindergarten or grades one through twelve for taking time off to participate in the employee's children's school activities; provided that certain requirements are met.

Your Committees received testimony in support of this measure from the Hawaii State Teachers Association, Hawaii State Parent Teacher Association, Community Children's Council, Filipino American Citizens League, Hui for Excellence in Education, Special Education Advisory Council, and two individuals. Your Committees received testimony in opposition to this measure from the Department of Human Resources Development and two individuals. Your Committees received comments on this measure from the Department of Labor and Industrial Relations and The Chamber of Commerce of Hawaii.

Your Committees find that it is crucial that parents be involved in their children's education. Evidence shows that parent involvement improves student achievement. With the constant demand on working families and the need to promote



stability and economic security in the home, both parents should have the option of taking leave from their employment for purposes related to their children's education.

Your Committees further find that twelve states currently require employers to allow time for employees to participate in their children's education with California being the most progressive, giving parents who work for businesses with twenty-five or more employees up to forty hours per year to participate in their children's school activities.

However, your Committees believe that further examination into requiring employers to allow time for employees to participate in their children's education is warranted.

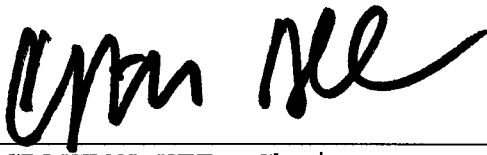
Accordingly, your Committees have amended this measure by:

- (1) Deleting sections 2, 3, 4, and 5 of this measure, thereby removing the requirement that employers allow a parent, guardian, or grandparent having custody of one or more children in kindergarten or grades one through twelve to take time off to participate in the employee's children's school activities;
- (2) Inserting language to require the Legislative Reference Bureau to conduct a study on family school leave that examines the feasibility and potential impact of requiring employers to allow parents and guardians of school-aged children to take leave from their employment to participate in their children's educational activities; provided, in part, that the Legislative Reference Bureau shall work with the Department of Labor and Industrial Relations, The Chamber of Commerce of Hawaii, and interested stakeholders, including but not limited to the Hui for Excellence in Education and Hawaii Parent Teacher Student Association, in conducting the study;
- (3) Inserting language to require the Legislative Reference Bureau to submit a report to the Legislature; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.




As affirmed by the records of votes of the members of your Committees on Education and Judiciary and Labor that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 562, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 562, S.D. 1, and be referred to the Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committees on Education and
Judiciary and Labor,



CLAYTON HEE, Chair



JILL TOKUDA, Chair



The Senate
Twenty-Seventh Legislature
State of Hawai'i

Record of Votes
Committee on Education
EDU

| | | |
|--|---------------------|---------------|
| Bill / Resolution No.:* | Committee Referral: | Date: |
| SB562 | EDU/JDL, WAM | 2-1-13 |
| <input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____ | | |
| The Recommendation is: | | |
| <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313 | | |
| Members | Aye | Aye (WR) |
| Nay | Excused | |
| TOKUDA, Jill N. (C) | ✓ | |
| KIDANI, Michelle N. (VC) | ✓ | |
| RUDERMAN, Russell E. | ✓ | |
| SHIMABUKURO, Maile S.L. | ✓ | |
| SLOM, Sam | | ✓ |
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| TOTAL | 4 | 1 |
| Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted | | |
| Chair's or Designee's Signature: <i>Michelle N. Kidani</i> | | |
| Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy | | |

*Only one measure per Record of Votes

