

Honolulu, Hawaii March 24, 2016

RE: S.B. No. 2313 S.D. 2 H.D. 1

Honorable Joseph M. Souki Speaker, House of Representatives Twenty-Eighth State Legislature Regular Session of 2016 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2313, S.D. 2, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO EQUAL PAY,"

begs leave to report as follows:

The purpose of this measure is to encourage equal pay between men and women.

Specifically, this measure:

- Requires employers to provide equal pay to employees that perform substantially equal work, except where the employer demonstrates the wage differential is based upon certain specified factors;
- (2) Changes the requirement of "equal work" to "substantially equal work";
- (3) Prohibits employers from barring employees from discussing their own wages or discussing and inquiring about the wages of other employees; and
- (4) Prohibits prospective employers from:
 - (A) Screening a job applicant based on wage or salary history; and



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(B) Requesting the wage or salary history of a job applicant from any current or former employer of the job applicant.

The Hawaii State Commission on the Status of Women, Office of Hawaiian Affairs, County of Kauai Committee on the Status of Women, Hawaii Civil Rights Commission, Hawaii State Democratic Women's Caucus, Planned Parenthood Votes Northwest and Hawaii, YWCA Oahu, Hawaii Coalition for Immigrant Rights, IMUAlliance, and one individual supported this measure. The Hawaii Food Industry Association, Chamber of Commerce Hawaii, National Federation of Independent Business, and Society for Human Resource Management opposed this measure. The Hawaii Women Lawyers provided comments.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2313, S.D. 2, H.D. 1, and recommends that it be referred to your Committee on Finance.

> Respectfully submitted on behalf of the members of the Committee on Judiciary,

152 Rhow

KARL RHOADS, Chair



State of Hawaii House of Representatives HSLR 1233-16 The Twenty-eighth Legislature

Record of Votes of the Committee on Judiciary

Bill/Resolution No.: SB2313 SD2, HD1 LAB, JUD, FIN Date: 03/22/16				
The committee is reconsidering its previous decision on the measure.				
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. RHOADS, Karl (C)		· · · · · · · · · · · · · · · · · · ·		
2. SAN BUENAVENTURA, Joy A. (VC)	~			
3. BELATTI, Della Au	V			
4. BROWER, Tom				
5. CREAGAN, Richard P.	-			
6. HASHEM, Mark J.	/			
7. KAWAKAMI, Derek S.K.			wa	-
8. LEE, Chris				-
9. MORIKAWA, Dee	~			
10. NAKASHIMA, Mark M.				
11. TAKAYAMA, Gregg				
12. WOODSON, Justin H.				
13. McDERMOTT, Bob			•••	
14. THIELEN, Cynthia				
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TOTAL (14)	10		0	3
The recommendation is: A Adopted I Not Adopted				
If joint referral, did not support recommendation.				
Vice Chair's or designee's signature:				
Distribution: Original (White) - Committee Duplicate (Yellow) - Chief Clerk's Office Duplicate (Pink) - HMSO				