

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:

- (1) 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



- (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,



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KARL RHOADS, Chair



