

The Twenty-Eighth Legislature
Regular Session of 2016

HOUSE OF REPRESENTATIVES
Rep. Sylvia Luke, Chair
Rep. Scott Y. Nishimoto, Vice Chair
State Capitol, Conference Room 308
Tuesday, March 1, 2016; 1:00 p.m.

**STATEMENT OF THE ILWU LOCAL 142 ON H.B. 1683, HD1
RELATING TO FAMILY LEAVE**

The ILWU Local 142 **supports** H.B. 1683, HD1, which permits an employee to use leave under the Hawaii Family Leave Law to care for a sibling.

In Hawaii, the definition of family is broad. It includes spouses, parents, children, grandchildren, grandparents, aunts, uncles, brothers, sisters—even hanai relatives. However, family leave under the Hawaii Family Leave Law restricts leave only to care for children, parents, spouses and reciprocal beneficiaries. Siblings are excluded.

We believe it is good public policy to broaden the coverage for family leave to include siblings. The leave will likely be unpaid, but the job protection may be a significant factor in a person's decision to provide care to a seriously ill sibling, who may have no other caregiver support.

The ILWU urges passage of H.B. 1683, HD1. Thank you for the opportunity to testify on this measure.



Randy Perreira
President

HAWAII STATE AFL-CIO

345 Queen Street, Suite 500 • Honolulu, Hawaii 96813

The Twenty-Eighth Legislature, State of Hawaii
Hawaii State House of Representatives
Committee on Finance

Telephone: (808) 597-1441
Fax: (808) 593-2149

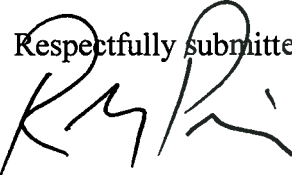
Testimony by
Hawaii State AFL-CIO
March 1, 2016

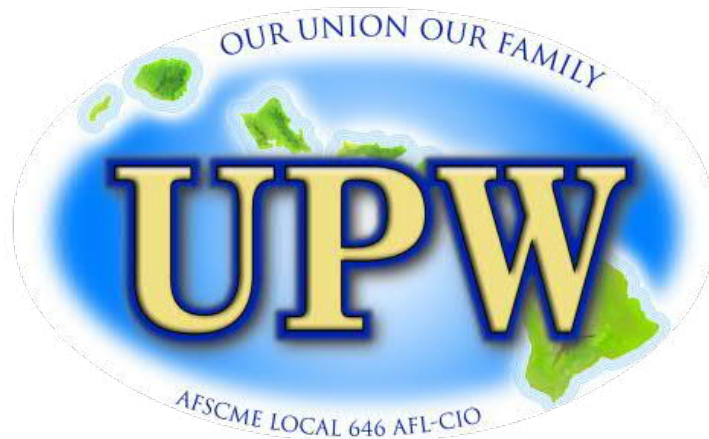
H.B. 1683, H.D.1 – RELATING TO
FAMILY LEAVE

The Hawaii State AFL-CIO strongly supports H.B. 1683, H.D.1, which permits an employee to use leave under the Hawaii Family Leave Law to care for a sibling.

From time to time, members of our family are unfortunately diagnosed with serious illnesses. Sometimes it is our parents or children and other times it may be our brothers or sisters. More often than not, they rely on their family for care and emotional support and every so often the family members there for them may only be their brothers and/or sisters. Supporting H.B. 1683, H.D.1 will ensure those who rely on their siblings for care will have that care provided to them.

Thank you for the opportunity to testify.

Respectfully submitted,

Randy Perreira
President



The Hawaii State House of Representatives
The Twenty-Eighth Legislature
Regular Session of 2016

COMMITTEE ON FINANCE

The Honorable Silvia Luke, Chair
The Honorable Scott Nishimoto Vice Chair

DATE OF HEARING: Tuesday, March 1, 2016

TIME OF HEARING: 1:00 p.m.

PLACE OF HEARING: Conference Room 308

TESTIMONY IN SUPPORT OF HB1683, HD1 RELATING TO FAMILIES

By Dayton M. Nakanelua,
State Director of the United Public Workers,
AFSCME, Local 646, AFL-CIO

My name is Dayton M. Nakanelua, state director of the United Public Workers, AFSCME, Local 646, and AFL-CIO (UPW). The UPW is the exclusive representative for approximately 11,000 public employees, which include blue collar, non-supervisory employees in Bargaining Unit 01 and institutional, health and correctional employees in Bargaining Unit 10, in the State of Hawaii and various counties.

HB1683, HD1 allows an employee to use leave under the Hawaii Family Leave Law to care for a sibling. The bill amends HRS39-1 by defining "sibling" as one of two or more individuals having at least one parent in common whether biologically or by adoption.

The UPW supports this measure. Thank you for the opportunity to submit this testimony.



Chamber of Commerce HAWAII
The Voice of Business

**Testimony to the House Committee on Finance
Tuesday, March 1, 2016 at 1:00 P.M.
Conference Room 308, State Capitol**

RE: HOUSE BILL 1683 HD 1 RELATING TO FAMILY LEAVE

Chair Luke, Vice Chair Nishimoto, and Members of the Committee:

The Chamber of Commerce Hawaii ("The Chamber") **opposes** HB 1683 HD 1, which permits an employee to use leave under the Hawaii Family Leave Law to care for a sibling.

The Chamber is Hawaii's leading statewide business advocacy organization, representing about 1,000 businesses. Approximately 80% of our members are small businesses with less than 20 employees. As the "Voice of Business" in Hawaii, the organization works on behalf of members and the entire business community to improve the state's economic climate and to foster positive action on issues of common concern.

We appreciate and understand the intent of this bill to allow for paid leave in the workplace. We are concerned that the amount of leave in this bill is in addition to other benefits currently offered by employers, and could allow for a large amount of leave available to an employee. This adversely affects businesses that need to find staffing to cover the employee on leave. We are also concerned of the economic impact of this new payroll tax.

Thank you for the opportunity to testify.



Executive Officers:
Derek Kurisu, KTA Superstores - Chairperson
John Erickson, Young's Market Company – Vice Chair
Bob Stout, Times Supermarkets – Secretary/Treasurer
Lauren Zirbel, Executive Director

1050 Bishop St. PMB 235
Honolulu, HI 96813
Fax : 808-791-0702
Telephone : 808-533-1292

TO: COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

FROM: HAWAII FOOD INDUSTRY ASSOCIATION
Lauren Zirbel, Executive Director

DATE: Tuesday, March 1, 2016
TIME: 1:00 p.m.
PLACE: Conference Room 308

RE: HB1683, HD1

Position: Oppose

The Hawaii Food Industry Association is comprised of two hundred member companies representing retailers, suppliers, producers, and distributors of food and beverage related products in the State of Hawaii.

While we understand the intent of this measure, we believe that including siblings in Hawaii's family leave law is overreaching and will result in additional costs that will negatively affect local businesses and our communities.

We believe that the bill's definition of "sibling" is overly broad and lacks clarification with regard to important considerations such as age, physical and cognitive abilities, and income. Is it reasonable to mandate leave for an employee whose sibling has a spouse and grown children who are able to provide care under current law?

Please keep in mind that profit margins are already quite sparse for grocers, which generally operate at a profit margin of around one percent. Hawaii's food prices can be up to seventy percent more than the national average and any additional costs will drive up grocery prices, punish low-income consumers and burden businesses.

Thank you for the opportunity to testify.

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 29, 2016 8:12 AM
To: FINTestimony
Cc: suekaulukukui@yahoo.com
Subject: Submitted testimony for HB1683 on Mar 1, 2016 13:00PM

HB1683

Submitted on: 2/29/2016

Testimony for FIN on Mar 1, 2016 13:00PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Suzanne Kaulukukui	Individual	Support	No

Comments: My brother lost his mother, father and wife all within a 9 month period last year. As a State employee, I spent all of my vacation leave and much of my sick leave flying back and forth to the mainland to help mom, dad, and sis-in-law. Now my brother is struggling with bone cancer and I have no more leave to help him out. If siblings were placed on the family leave plan, it would help their families to be able to help them. Please pass this bill!!

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, February 27, 2016 10:19 AM
To: FINTestimony
Cc: shyla.moon@ymail.com
Subject: *Submitted testimony for HB1683 on Mar 1, 2016 13:00PM*

HB1683

Submitted on: 2/27/2016

Testimony for FIN on Mar 1, 2016 13:00PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Shyla Moon	Individual	Support	No

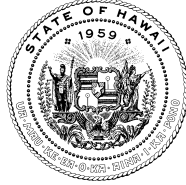
Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

DAVID Y. IGE
GOVERNOR

SHAN S. TSUTSUI
LIEUTENANT GOVERNOR



LATE

LINDA CHU TAKAYAMA
DIRECTOR

LEONARD HOSHIJO
DEPUTY DIRECTOR

STATE OF HAWAII
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
830 PUNCHBOWL STREET, ROOM 321
HONOLULU, HAWAII 96813
www.labor.hawaii.gov
Phone: (808) 586-8844 / Fax: (808) 586-9099
Email: dlir.director@hawaii.gov

February 29, 2016

To: The Honorable Sylvia Luke, Chair,
The Honorable Scott Y. Nishimoto, Vice Chair, and
Members of the House Committee on Finance

Date: Tuesday, March 1, 2016
Time: 1:00p.m.
Place: Conference Room 308, State Capitol

From: Linda Chu Takayama, Director
Department of Labor and Industrial Relations (DLIR)

Re: H.B. No. 1683, H.D. 1 Relating to Family Leave

I. OVERVIEW OF PROPOSED LEGISLATION

HB1683 HD1 amends the Family Leave Law, chapter 398, Hawaii Revised Statutes (HAR), by amending the family leave requirement to permit an employee to use family leave time to care for a sibling. HD1 defected the effective date to July 1, 2091

II. CURRENT STATUS

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, the adoption of a child, or to care for the employee's child, spouse or reciprocal beneficiary, or parent with a serious health condition. The care of siblings is not covered.

III. COMMENTS ON THE HOUSE BILL

Hawaii has a rich tradition of the family concept of "ohana". To extend the ability to take family leave to care for one's brother or sister exemplifies this tradition of caring for family members.

DLIR notes that the definition of “sibling” is limited to the biological or adopted sibling. However, for “parent” in chapter 398 the definition includes step and in-law relationships.

DLIR also notes that extension of Hawaii Family Leave Law to siblings creates another incongruent category with Family Medical Leave Act and may result in the extension of protected leave to sixteen weeks in some circumstances (four (4) weeks of HFFL to care for a sibling, 12 more weeks for a serious illness to the employee). Other, similar HFFL categories not covered in FMLA include:

- Stepmother and step father
- Mother and father in-laws
- Grandfather and grandmother in-laws

DLIR defers to the Department of Human Resources Development in regards to the fiscal and other impacts to the State.

LATE



Testimony to the House Finance Committee
March 1, 2016 at 1:00 p.m.
State Capitol - Conference Room 308

RE: HB 1683, Relating to Family Leave

Aloha members of the committee:

I am John Knorek, the Legislative Committee chair for the Society for Human Resource Management – Hawaii Chapter (“SHRM Hawaii”). SHRM Hawaii represents more than 800 human resource professionals in the State of Hawaii.

We are writing to respectfully oppose HB 1683, relating to family leave. This bill permits an employee to use leave under the Hawaii Family Leave Law to care for a sibling. We believe that this bill would pose substantial implementation challenges and administrative burden given that employers would be unable to determine the extent to which an employee’s leave is legitimate and the potential for greatly expanded usage.

Human resource professionals are keenly attuned to the needs of employers and employees. We are the frontline professionals responsible for businesses’ most valuable asset: human capital. We truly have our employers’ and employees’ interests at heart. We will continue to review this bill and, if it advances, request to be a part of the dialogue concerning it.

Thank you for the opportunity to testify.



SHRM Hawaii, P. O. Box 3175, Honolulu, Hawaii (808) 447-1840



HAWAII GOVERNMENT EMPLOYEES ASSOCIATION
AFSCME Local 152, AFL-CIO

RANDY PERREIRA, Executive Director • Tel: 808.543.0011 • Fax: 808.528.0922

LATE

The Twenty-Eighth Legislature, State of Hawaii
House of Representatives
Committee on Finance

Testimony by
Hawaii Government Employees Association
March 1, 2016

H.B. 1683, H.D. 1 – RELATING TO FAMILY LEAVE

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO strongly supports the purpose and intent of H.B. 1683, H.D. 1, which amends the family leave requirement to allow an employee to utilize family leave to care for a sibling.

Currently, Chapter 398-3 of the Hawaii Revised Statutes allows for an employee to use four weeks of family leave upon the birth or adoption of a child or to care for a child, spouse, reciprocal beneficiary, or parent with a serious health condition, but does not include care for a sibling. In some cases, an individual may only have a sibling who can provide care during illness. Further, our collective bargaining agreements allow for included employees to use Funeral Leave upon the passing of their immediate family, inclusive of siblings. We strongly support legislation that would allow employees the ability to utilize Family Leave to care for all of their family members – parents, spouses, children and siblings.

Thank you for the opportunity to provide testimony in support of H.B. 1683, H.D. 1.

Respectfully submitted,

Randy Perreira
Executive Director