



**STATE OF HAWAII  
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS**

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March 18, 2016

To: The Honorable Gilbert S.C. Keith-Agaran, Chair,  
The Honorable Maile S.L. Shimabukuro, Vice Chair, and  
Members of the Senate Committee on Judiciary and Labor

Date: Monday, March 21, 2016

Time: 9:00 a.m.

Place: Conference Room 016, 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 (HRS), by amending the family leave requirement to permit an employee to use family leave time to care for a sibling.  
DLIR supports HB1683, HD1.

**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

Other, similar HFLL categories not covered in FMLA include:

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

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



**Testimony to the Senate Committee on Judiciary & Labor  
Monday, March 21, 2016 at 9:00 A.M.  
Conference Room 016, State Capitol**

**RE: HOUSE BILL 1683 HD 1 RELATING TO FAMILY LEAVE**

Chair Keith-Agaran, Vice Chair Shimabukuro, 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.



Randy Perreira  
President

# HAWAII STATE AFL-CIO

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The Twenty-Eighth Legislature, State of Hawaii  
Hawaii State Senate  
Committee on Judiciary and Labor

Testimony by  
Hawaii State AFL-CIO  
March 21, 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

**From:** [mailinglist@capitol.hawaii.gov](mailto:mailinglist@capitol.hawaii.gov)  
**To:** [JDLTestimony](#)  
**Cc:** [REDACTED]  
**Subject:** \*Submitted testimony for HB1683 on Mar 21, 2016 09:00AM\*  
**Date:** Friday, March 18, 2016 4:49:11 PM

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**HB1683**

Submitted on: 3/18/2016

Testimony for JDL on Mar 21, 2016 09:00AM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Wendy	ABC Stores	Oppose	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.

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Lauren Zirbel, Executive Director

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TO: COMMITTEE ON JUDICIARY & LABOR  
Senator Gilbert S.C. Keith-Agaran, Chair  
Senator Maile S.L. Shimabukuro, Vice Chair

FROM: HAWAII FOOD INDUSTRY ASSOCIATION  
Lauren Zirbel, Executive Director

DATE: Monday, March 21, 2016  
TIME: 9:00 a.m.  
PLACE: Conference Room 016

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](mailto:mailinglist@capitol.hawaii.gov)  
**To:** [JDLTestimony](#)  
**Cc:** [REDACTED]  
**Subject:** \*Submitted testimony for HB1683 on Mar 21, 2016 09:00AM\*  
**Date:** Friday, March 18, 2016 6:13:42 PM

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**HB1683**

Submitted on: 3/18/2016

Testimony for JDL on Mar 21, 2016 09:00AM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Troy Abraham	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.

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