



February 23, 2016

To: Hawaii State Senate Committee on Ways and Means
Hearing Date/Time: Wednesday, February 24, 2016 (1:00 p.m.)
Place: Hawaii State Capitol, Rm. 211
Re: Testimony of American Association of University Women –
Hawaii in support of S.B. 2313, Relating to Equal Pay

Dear Senator Jill N. Tokuda (Chair), and Senator Donovan M. Dela Cruz (Vice Chair),
and Members of the Committee,

I am grateful for this opportunity to testify in **strong support of S.B. 2313**, which directly confronts the gender equity issue in employment wages. My testimony is on behalf of the approximately 400 members of the American Association of University Women (AAUW) in Hawaii, who list equal pay as an important current concern. “More than 50 years after passage of the Equal Pay Act of 1963, it’s clear the pay gap is unlikely to go away on its own. That’s why the American Association of University Women and its more than 170,000 members and supporters are leading a nationwide campaign to close the pay gap and end pay discrimination” (<http://www.aauw.org/files/2014/09/Hawaii-Pay-Gap-2014.pdf>). It is absolutely ridiculous that in 2016, we are still dealing with the issue of women taking home smaller salaries than their male counterparts while working in substantially similar employment.

Given that women make up half the population in Hawaii, and are the majority providers in many single-parent homes, surely they deserve to make salaries equitable to those of men? Approximately 56,000 Hawaiian households survive on women’s wages, and 19% of these families are struggling with incomes below the poverty level. Increasing women’s incomes to the levels enjoyed by men would mean that each working woman in Hawaii would have sufficient money for 48 more weeks of food for her family.

In conclusion, passage of S.B. 2313 is an important step toward more equitable wages for women. This bill contains a number of important fixes, which together have the potential to make a major improvement in women’s lives.

Thank you for the opportunity to testify.

Sincerely
Susan J. Wurtzburg, Ph.D.
Policy Chair



February 23, 2016

Senator Jill Tokuda, Chair
Senate Committee on Ways and Means

Re: S.B. 2313 S.D.1 Relating to Equal Pay

Hearing: Wednesday, February 24, 2016, 1:15 p.m.

Dear Chair Tokuda and Members of the Committee on Ways and Means:

Hawaii Women Lawyers submits testimony in **strong support** of S.B.2313, S.D.1, which clarifies affirmative defenses that an employer may use in a pay differential case, prohibits employer actions regarding wage disclosure, and prohibits employers from discriminating between employees because of sex by paying wages to employees at a rate less than the rate at which the employer pays wages to employees of the opposite sex for substantially similar work and under similar working conditions.

The mission of Hawaii Women Lawyers is to improve the lives and careers of women in all aspects of the legal profession, influence the future of the legal profession, and enhance the status of women and promote equal opportunities for all.

The current pay gap between men and women impacts women and families at all income levels, regardless of occupation or education level. Women currently make approximately 86 cents for every dollar paid to a man for substantially similar work. Moreover, the wage gap contributes to the higher statewide poverty rate among women.

Although a pay gap exists, the ability to make a claim against an employer for wage discrimination is difficult because these claims are exceedingly difficult to prove in the workplace.

This measure improves Hawaii's existing equal pay statute by, among other things, ensuring that employees performing "substantially similar work" (rather than the "same work") are paid equally, ensuring that employers apply job qualifications without discrimination, and prohibiting retaliation or discrimination against employees who discuss their own or co-workers' wages for the purpose of exercising rights under the law.

This measure will strengthen existing Hawaii law on equal pay by ensuring that women are treated fairly and equally in the workplace.

We respectfully request that the Committee pass S.B. 2318, S.D.1. Thank you for the opportunity to submit testimony on this measure.

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: cleo@ywcaoahu.org
Subject: *Submitted testimony for SB2313 on Feb 24, 2016 13:15PM*
Date: Wednesday, February 24, 2016 9:49:09 AM

SB2313

Submitted on: 2/24/2016

Testimony for WAM on Feb 24, 2016 13:15PM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
Noriko Namiki	YWCA Oahu	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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**TESTIMONY FOR SENATE BILL 2313, SENATE DRAFT 1, RELATING TO
EQUAL PAY**

**Senate Committee on Ways and Means
Hon. Jill N. Tokuda, Chair
Hon. Donovan M. Dela Cruz, Vice Chair**

**Wednesday, February 24, 2016, 1:15 PM
State Capitol, Conference Room 211**

Honorable Chair Tokuda and committee members:

I am Kris Coffield, representing the IMUAlliance, a nonpartisan political advocacy organization that currently boasts over 350 local members. On behalf of our members, we offer this testimony in strong support of SB 2313, SD1, relating to equal pay.

In Hawai'i, women currently make 86 cents for every dollar paid to men for substantially similar, and often the same, work. According to data from the U.S. Census Bureau, the gender pay gap in the islands is not projected to close until 2058, leaving another four decades of women unjustly lagging economically behind their male colleagues. Moreover, labor and census statistics cited by the Hawaii Commission on the Status of Women reveal that women working full-time lose more than \$1.4 billion annually due to the local wage gap, which exists across industrial, educational, racial, and ethnic demographics.

Finally, combating pay inequity reduces poverty, at a time when Hawai'i is facing a statewide houseless crisis. According to the latest point-in-time count, Hawai'i has 7,620 people living without housing, a 10 percent increase from the previous year. Our state's homeless population has reached its highest number in five years, boosted by a dramatic increase in the number of unsheltered houseless persons. Unsheltered persons now total 3,843 people, while sheltered individuals total 3,777. On O'ahu, in 2015, the houseless population rose to 4,903, up from 4,712 in 2014. The Big Island of Hawai'i totaled 1,241 houseless persons, up from 869 a

year ago—a shocking 43 percent increase. Maui County saw its houseless population rise to 1,137, last year, up from 959 the previous year.

A report from the Center for American Progress (“A Woman’s Nation Pushes Back from the Brink,” 2014) concluded that normalizing women’s earnings to their male peers could cut poverty rates for working women by up to 50 percent. Economists Heidi Hartmann and Jeffrey Hayes of the Institute for Women’s Policy Research calculated that nationally, paying women who work full time, year-round, the same as men would boost their incomes by an average of \$6,250 a year, raising 3 million working women above the poverty line and boosting GDP by 2.9 percent, or \$450 billion. CAP’s report notes that one in three women in the U.S. either live in poverty or are “teetering on its brink,” totaling 42 million women who struggle financially. If anything, these numbers are exacerbated by the price of paradise in Hawai’i, which numerous indicators have demonstrated has the highest cost-of living and housing costs in the country, dragging down the purchasing power of workers’ paychecks.

Mahalo for the opportunity to testify in strong support of this bill.

Sincerely,
Kris Coffield
Executive Director
IMUAlliance

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: rkailianu57@gmail.com
Subject: *Submitted testimony for SB2313 on Feb 24, 2016 13:15PM*
Date: Tuesday, February 23, 2016 9:45:35 PM

SB2313

Submitted on: 2/23/2016

Testimony for WAM on Feb 24, 2016 13:15PM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
Rachel L. Kailianu	Ho`omana Pono, LLC	Support	Yes

Comments:

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Before the Senate Committee on Ways and Means

DATE: February 24, 2016

TIME: 1:15 p.m.

PLACE: Conference Room 211

Re: SB 2313, SD 1, Relating to Equal Pay

Testimony of Melissa Pavlicek for NFIB Hawaii

Aloha Chair Tokuda, Vice Chair Dela Cruz, and members of the Committee:

We are testifying on behalf of the National Federation of Independent Business (NFIB) to respectfully **oppose** this measure. NFIB and our members support equal pay, in that we agree with the principle that an equal day's work deserves an equal day's pay. We mahalo the Senate Judiciary and Labor Committee which previously heard and amended this measure, inserting language pertaining to the quantity or quality of production – albeit as an affirmative defense rather than a permissible exception – in the bill. We remain, however, unable to support SB 2313 in its current form, shifting too far the burden on employers to prove a negative -- that they didn't violate the law.

It is already against the law for an employer to discriminate in setting employee wages based on gender. At the state level we have the Equal Pay Law, which clearly states that no employer shall discriminate based on gender when setting wages. At the federal level, The Equal Pay Act says that employers must pay equal wages to women and men in the same establishment for performing substantially equal work.

Additional protections are afforded under Title VII of the Civil Rights Act, which prohibits employers with at least 15 employees from discriminating against their employees based on a variety of factors, including gender. In 2009, Congress passed the Lilly Ledbetter Fair Pay Act, which extended the statute of limitations for filing an equal pay lawsuit. We believe these laws already cover the issue of gender wage discrimination.

In closing, while we agree with the principle of equal pay, we believe this legislation would ultimately impose burdens and risks on employers and expand litigation opportunities for plaintiffs. Please defer this bill.

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: rkailianu57@gmail.com
Subject: *Submitted testimony for SB2313 on Feb 24, 2016 13:15PM*
Date: Tuesday, February 23, 2016 9:45:07 PM

SB2313

Submitted on: 2/23/2016

Testimony for WAM on Feb 24, 2016 13:15PM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
Rachel L. Kailianu	Individual	Support	Yes

Comments:

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