

STAND. COM. REP. NO.

1074

Honolulu, Hawaii

MAR 24 2017

RE: H.B. No. 1402
H.D. 2
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2017
State of Hawaii

Sir:

Your Committee on Judiciary and Labor, to which was referred
H.B. No. 1402, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO EMPLOYEES,"

begs leave to report as follows:

The purpose and intent of this measure is to establish a shared leave program within the Department of Human Resources Development to allow state employees to donate accumulated sick leave and vacation leave credits to a shared leave bank or directly to another state employee who has a serious personal illness or injury or who has a family member who has a serious personal illness or injury.

Your Committee received testimony in support of this measure from the United Public Workers, AFSCME, Local 646, AFL-CIO; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and three individuals. Your Committee received testimony in opposition to this measure from the Department of Human Resources Development. Your Committee received comments on this measure from one individual.

Your Committee finds that numerous state departments implement shared leave programs within their respective departments, but state employees cannot currently share leave between departments. Your Committee finds that state employees



suffering from a serious illness or injury may deplete their paid leave allowance and often depend on shared leave to prevent economic hardship during recovery; therefore, a shared leave program across state departments may benefit many state employees.

Your Committee has amended this measure by:

- (1) Deleting its contents and replacing them with the provisions of S.B. No. 207, S.D. 2, Regular Session of 2017, which establishes shared leave programs for public employees by:
 - (A) Requiring the Judiciary, Legislature, and Executive Branch to each establish a shared leave program for state employees;
 - (B) Precluding a state government branch from prohibiting leave sharing between different departments or bargaining units because of administrative infeasibility;
 - (C) Allowing the chief executive of a county to establish a shared leave program for county employees; and
 - (D) Allowing an employee's designation of beneficiary form to be filed with the department where the employee is employed and permits the designation to be made through a statement that is not verified or written, thereby including an electronically maintained statement;
- (2) Inserting an effective date of January 7, 2059, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1402, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1402,



H.D. 2, S.D. 1, and be referred to your Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Labor,


GILBERT S.C. KEITH-AGARAN, Chair



