

STAND. COM. REP. NO.

374

Honolulu, Hawaii

FEB 16 2017

RE: S.B. No. 207  
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  
S.B. No. 207 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 Labor and Industrial Relations 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 Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO and two individuals. Your Committee received testimony in opposition to this measure from the Department of Labor and Industrial Relations. Your Committee received comments on this measure from the Department of Human Resources Development.

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 notes that it has concerns regarding the potential paid leave differential between employees of different levels as well as concerns regarding the potential implementation costs and resources of a shared leave program across all state departments.

Your Committee has amended this measure by:

- (1) Replacing the Department of Labor and Industrial Relations with the Department of Human Resources Development as the entity responsible for implementing the shared leave program;
- (2) Inserting the contents of S.B. No. 886, Regular Session of 2017, as part II, which:
  - (A) Allows an employee's designation of beneficiary form to be filed with the department where the employee is employed; and
  - (B) Permits the designation to be made through a statement that is not verified or written, including through an electronically maintained statement;
- (3) Inserting an effective date of January 7, 2059, to encourage further discussion; and
- (4) 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 S.B. No. 207, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 207, 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



The Senate  
 Twenty-Ninth Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Judiciary and Labor**  
**JDL**

Bill / Resolution No.:* <b>SB 207</b>	Committee Referral: <b>JDL, WAM</b>	Date: <b>2/9/17</b>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
KEITH-AGARAN, Gilbert S.C. (C)	✓			
RHOADS, Karl (VC)	✓			
GABBARD, Mike	✓			
KIM, Donna Mercado	✓			
THIELEN, Laura H.	✓			
<b>TOTAL</b>	<b>5</b>	<b>0</b>	<b>0</b>	<b>0</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution:                    Original    Yellow    Pink    Goldenrod File with Committee Report    Clerk's Office    Drafting Agency    Committee File Copy				

\*Only one measure per Record of Votes