



HAWAII GOVERNMENT EMPLOYEES ASSOCIATION
AFSCME Local 152, AFL-CIO

LATE TESTIMONY

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

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

Testimony by
Hawaii Government Employees Association

March 21, 2017

H.B. 4, H.D. 1 - RELATING TO HEALTH

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO strongly supports the purpose and intent of H.B. 4, H.D. 1 which requires employers to provide a minimum amount of paid sick leave to employees.

We represent more than 27,000 public-sector employees who enjoy the benefit of paid sick leave for healthcare. No employee should be forced to choose between their well-being and their job. Taking time off to care for one's illness not only protects the employee, but also protects their families, colleagues, and customers by reducing the chances of spreading illness. Providing employees with a few days of paid sick leave is an investment that not only supports the employee, but our community as a whole.

Thank you for the opportunity to testify in support of H.B. 4, H.D. 1.

Respectfully submitted,

Randy Perreira
Executive Director



LATE TESTIMONY

TIM VANDEVEER
Chair

MARGARET WILLE
SEAN SMITH
Legislation Committee Co-Chairs

March 21, 2017

Senator Gilbert S.C. Keith-Agaran, Chair
Senator Karl Rhoads, Vice Chair
Senate Committee on Judiciary & Labor
March 21, 2017 9:30 a.m. State Capitol Conference Room 016

HB 4, HD1 Relating to Health

Submitted On Behalf of the Democratic Party of Hawai'i

The Democratic Party of Hawai'i supports HB 4, HD1 \ Relating to Health. This bill establishes the right of Hawaii workers to accrue paid sick leave up to 40 hours a year.

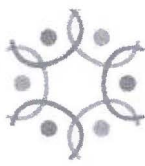
Establishing the right of workers in Hawaii to accrue paid sick leave is one of the Democratic Party of Hawai'i's legislative priorities for the 2017 legislative session. We request that you pass this bill out of committee.

Mahalo for the opportunity to testify on this bill.

Respectfully submitted,

Tim Vandev eer
Chair of the Democratic Party of Hawai'i

/s/ Margaret Wille
/s/ Sean Smith
Legislative Committee Co-chairs



March 19, 2017

To: Senator Gilbert S.C. Keith-Agaran, Chair
Senator Karl Rhoads, Vice Chair
Committee on Judiciary and Labor

From: Deborah Zysman, Executive Director
Hawaii Children's Action Network

Re: **HB 4 HD 1– Relating to Health**
Hawaii State Capitol, Room 016, March 21, 2017, 9:30 AM

On behalf of Hawaii Children's Action Network (HCAN), we are writing to provide COMMENTS on HB 4 HD 1 – Relating to Health.

Sick leave policies make economic sense not just for the employee but also for the employer. These policies provide the employee job security, better health, less stress, and more satisfaction with their job while reducing costs for employers by eliminating the need to replace workers and sickness of additional workers. An Oxfam America survey of low-wage working mothers found 19 percent reported losing a job because they were sick or they had to care for a sick child. It is estimated that 63% of young children in Hawaii have working parents with 31% of Hawaii's children living in single parent households.

According to the US Department of Labor:

- Four in ten private sector workers, over 40 million people, do not have access to paid sick time.
- Seven in ten low-wage workers whose earnings are in the bottom 25 percent of earners, lack access to paid sick time.
- For those employed in the accommodation and food services industries, 75 percent must choose between losing pay and showing up to work sick or leaving a sick child at home alone.
- Without sick leave, workers are more likely to go to work and infect others. A recent survey of food workers showed that nearly 90 percent went to work when they were sick, including more than half who did so "always" or "frequently." And of those who worked while sick, almost half (45 percent) reported going to work sick because they could not afford to lose pay.

The amendments that were made to HB 4 by the first committee significantly reduce the benefits to the people of Hawaii. HCAN is significantly concerned about Section 3 – Use of Paid Sick Leave, item (b); Sections 6 – Applicability, Item (a)(2) and (a)(3).

For these reasons, HCAN respectfully requests that the committee AMEND this bill to revert to the original language of HB 4.

HCAN is committed to building a unified voice advocating for Hawaii's children by improving their safety, health, and education. Last fall, HCAN convened input in person and online from more than 50 organizations and individuals that came forward to support or express interest for a number of issues affecting children and families in our state that resulted in the compilation of 2017 Hawai'i Children's Policy Agenda, which can be accessed at <http://www.hawaii-can.org/2017policyagenda>.

NFIB

The Voice of Small Business.®

Before the Senate Committee on Judiciary & Labor

DATE: March 21, 2017

TIME: 9:30 a.m.

PLACE: Conference Room 016

Re: HB 4, HD1, Relating to Health

Testimony of Melissa Pavlicek for NFIB Hawaii

Aloha Chair Keith Agaran and members of the committee:

We are testifying on behalf of the National Federation of Independent Business (NFIB) in opposition to House Bill 4, HD1, which requires employers to provide a certain amount of sick leave.

When it comes to employers providing paid sick time to their employees, we believe that government should not intrude in the employer/employee relationship. Many employers are already flexible in accommodating employee needs and time off requests without conflict and we believe that adding additional leave requirements has the potential to conflict with already-existing state and federal leave requirements.

The National Federation of Independent Business is the largest advocacy organization representing small and independent businesses in Washington, D.C., and all 50 state capitals. In Hawaii, NFIB represents more than 1,000 members. NFIB's purpose is to impact public policy at the state and federal level and be a key business resource for small and independent business in America. NFIB also provides timely information designed to help small businesses succeed.



Testimony to the
Senate Committee on Judiciary & Labor
March 21, Room 16
State Capitol - Conference Room 016

RE: HB 4, HD1, Relating to Health

Aloha Chair Keith-Agaran and members of the committee:

We are Cara Heilmann and John Knorek, the Legislative Committee co-chairs 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 4, HD1, which requires employers to provide a minimum amount of paid sick leave to employees to be used to care for themselves or a family member who is ill or needs medical care. We feel this measure is unduly burdensome for employers and has the potential to cause potential conflicts with paid and unpaid leave requirements.

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 respectfully oppose this measure because of the implementation challenges and administrative burden it would impose, and for the potential of unintended conflict with other leave laws.

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.



Eggs 'n Things Hawaii Inc. DBA Eggs 'n Things
343 Saratoga Road,
Honolulu, HI 96815
www.eggsthings.com

March 20th, 2017

RE: OPPOSITION TO HB4 RELATING TO LABOR (PAID TIME OFF FOR SERVICE WORKERS)

TO: COMMITTEE ON JUDICIARY AND LABOR. Senator Gilber S.C. Keith- Agaran, Senator Karl Rhoads

Thank you for your time and this opportunity to provide our testimony. We at Eggs 'n Things hereby oppose HB 4, relating to Paid Sick Leave for Service Workers.

Eggs 'n Things has been in Hawaii for 43+ years, and we would love to be here in Hawaii for many more years to come, but the future of operating a Restaurant in Hawaii is looking more and more challenging. We have 3 locations here in Hawaii and many over seas, but the margins for our Hawaii operations are much harder to manage because of the regulations, laws and restrictions that are exclusive to our operations here in Hawaii.

We believe that there are already measures in place to prevent any one who has any type of contagious illness from coming to work and working without violating some strict industry and company policies. All of our full time worker get a great a minimum of 40 hours paid time off as an earned benefit. All of our managers and supervisors are ServSafe certified and are trained to know which types of symptoms are critical in sending an employee home, i.e. high fever, nausea, vomiting, etc. The strict state health codes that we have to adhere to also address this issue.

The idea behind this bill is understandable, but it does show a clear detachment from understanding the current workforce in Hawaii. Getting workers to call out sick for work is not a problem and likely won't be for the foreseeable future. Getting them to show up to work even when they are fully healthy is a problem we deal with on a daily basis. Giving our workers this option would make it extremely hard to do any type of scheduling and run a consistent operation without hurting the servicing of our customers. Having worked here at Eggs 'n Things for over 9 years and having over 20 years of experience in the industry, the current workforce is different than it was just a few years ago. At any of our 3 Hawaii locations, I have not had to deal with any employee that was even remotely sick still trying to work in a long time. We do have to deal with employees calling out sick for the strangest of reasons and having people not showing up to work constantly. Taking away one of the key reasons that motivates our employees to show up to work would be detrimental to our business operations.

We would like to humbly ask you to NOT pass this bill. Thank you again for taking your time to hear our thoughts and testimony.

Sincerely,

Michael Skedeleski, Director of Operations

(808) 923-3447 michael@eggsthings.com



LATE TESTIMONY

March 20, 2017

To: Honorable Gilbert S.C. Keith-Agaran, Chair, Honorable Karl Rhoads, Vice Chair,
Committee on Judiciary and Labor

Subject: **OPPOSITION TO HB 4, HD1 RELATING TO HEALTH**

NOTICE OF HEARING

DATE: Tuesday, March 21, 2017
TIME: 9:30 a.m.
PLACE: Conference Room 016
State Capitol
415 South Beretania Street

Dear Chair Keith-Agaran, Vice Chair Rhoads, and Members of the Committee,

I am writing on behalf of Fair Wind Cruises, a family-owned and operated small business on the Big Island of Hawaii for over 46 years. We respectfully **oppose HB4 HD1**, which requires employers to provide minimum amounts of sick leave.

Many employers, such as Fair Wind Cruises, are already flexible in accommodating employee needs and time off requests without conflict and we believe that adding additional leave requirements has the potential to conflict with already existing state and federal leave requirements.

We understand that employees will require occasional leave from work due to a legitimate sickness or other reasons, and generally accommodate and work with them. This bill's approach will hinder an employer's flexibility in providing sick leave and will result in additional costs, both directly and indirectly.

For many businesses, these additional costs could mean that they would no longer be able to afford to employ as many people and would be forced to eliminate jobs. For this reason, we respectfully ask HB4 HD1 not be passed. If it is passed, we ask that the following changes are added to give an employer some ability to prevent potential abuse of the sick leave.

- An employer may require employees to give reasonable notification of an absence from work for which paid sick leave is or will be used.
- An employer may take reasonable measures to verify or document that an employee's use of paid sick leave is lawful.

Thank you for the opportunity to present our views on this matter.

Sincerely,

Jackie Moore-Andresen, PHR

Human Resources and Payroll Manager

From: mailinglist@capitol.hawaii.gov
To: [JDLTestimony](#)
Cc:
Subject: Submitted testimony for HB4 on Mar 21, 2017 09:30AM
Date: Monday, March 20, 2017 10:46:46 PM

HB4

Submitted on: 3/20/2017

Testimony for JDL on Mar 21, 2017 09:30AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Anne Thurston	Individual	Support	No

Comments: I support this bill strongly. It is very important that workers should know that they will have paid sick leave. This is a basic worker's right and must be honored. We cannot ignore this basic responsibility.

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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LATE TESTIMONY

From: mailinglist@capitol.hawaii.gov
To: [JDL Testimony](#)
Cc:
Subject: *Submitted testimony for HB4 on Mar 21, 2017 09:30AM*
Date: Monday, March 20, 2017 11:37:16 PM

HB4

Submitted on: 3/20/2017

Testimony for JDL on Mar 21, 2017 09:30AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Darbi Shakira Freeman	Individual	Support	No

Comments:

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To: [JDL Testimony](#)
Cc:
Subject: *Submitted testimony for HB4 on Mar 21, 2017 09:30AM*
Date: Monday, March 20, 2017 9:59:12 PM

HB4

Submitted on: 3/20/2017

Testimony for JDL on Mar 21, 2017 09:30AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Jennifer Barretto	Individual	Support	No

Comments:

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LATE TESTIMONY

Attn: The Honorable Gilbert S.C. Keith-Agaran, Chair
Honorable Karl Rhodas, Vice Chair
Senate Committee on Judiciary and Labor

Date: March 21, 2017

Re: SUPPORT of House Bill 4 HD 1, Relating to Health

My name is Keliimakamae Waiolama, I am a teacher at Olomana School, a volleyball coach, and a student at the University of Hawai'i at Mānoa, Myron B. Thompson School of Social Work. I am writing in support of H.B. 4. Per H.B. 4, "providing workers time off to attend to their personal health care needs and the health care needs of family members would ensure a healthier and more productive workforce in the state." This statement I believe is very true, and I personally can relate to this dilemma. In 2014, my grandfather was diagnosed with prostate cancer, and at that moment of finding out, he was looking at a mere few months to live. This traumatized my family and we immediately began to look for resources to help.

At that time, I was just entering my undergrad program at the University of Hawai'i at Mānoa and was busy balancing a schedule that involved work, school, coaching volleyball and my practicum internship at the Institute for Human Services (IHS). It was tough, but my family and I was determined to figure out a way to care for papa. We had concluded that my mother and I would rotate taking care and watching over my grandfather. Being that there is no caretaking law to aid when these events happen, I decided that I would work part time and take care of my studies and my grandfather. Almost three years later, and a few months away from obtaining my Masters in Social Work, I look at these bills meant to aid with people in the predicament where I was in, and realized that I needed to take the time to testify on behalf of HB 4 and be an active participant in the policy making process.

I am in SUPPORT of HB 4 and I encourage political leaders to conclude decisions that would not only help benefit individual families, but will ultimately influence a healthy and robust workforce in Hawai'i.

Mahalo,
Keliimakamae H.J. Waiolama, BSW
MSW Candidate
University of Hawai'i at Mānoa, Myron B. Thompson School of Social Work
808-462-7377
khw666@hawaii.edu