

# HB 683

RELATING TO PUBLIC EMPLOYMENT

LAB, FIN

# HB683



Submit Testimony

**Measure Title:** RELATING TO PUBLIC EMPLOYMENT.

**Report Title:** Employment; Government Employees; Maternity Leave; Paternity Leave; Paid Leave

**Description:** Establishes a 6-week paid maternity and paternity leave policy for government employees to ensure that Hawaii's working families are adequately supported during times of needing to provide care to a newborn or bond with a new child.

**Companion:** [SB521](#)

**Package:** None

**Current Referral:** LAB, FIN

**Introducer(s):** BELATTI, FUKUMOTO, ICHIYAMA, LOPRESTI, MCKELVEY, MIZUNO, MORIKAWA, OSHIRO, THIELEN

<u>Sort by Date</u>		<b>Status Text</b>
1/20/2017	H	Pending introduction.
1/23/2017	H	Pass First Reading
1/25/2017	H	Referred to LAB, FIN, referral sheet 3
2/10/2017	H	Bill scheduled to be heard by LAB on Tuesday, 02-14-17 8:30AM in House conference room 309.

**S** = Senate | **H** = House | **D** = Data Systems | **\$** = Appropriation measure | **ConAm** = Constitutional Amendment  
Some of the above items require Adobe Acrobat Reader. Please visit [Adobe's download page](#) for detailed instructions.

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# A BILL FOR AN ACT

RELATING TO PUBLIC EMPLOYMENT.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that Hawaii's working  
2 families are not adequately supported during times of child  
3 caregiving. While the federal Family and Medical Leave Act of  
4 1993 allows twelve weeks of unpaid family leave each year for  
5 employees of a public agency or a private business that employs  
6 fifty or more employees, the majority of Hawaii's workforce  
7 cannot afford to take unpaid leave to provide care to a newborn  
8 or bond with a new child.

9           The legislature further finds that paid parental leave can  
10 have a significant positive effect on the health of both  
11 children and parents. Studies have shown that paid parental  
12 leave can reduce rates of infant mortality, increase the  
13 likelihood of infants getting the necessary doctor visits and  
14 vaccinations, and increase the rate and duration of breast-  
15 feeding. There can also be both short-term and long-term mental  
16 health effects, with studies showing that women who were  
17 afforded a more generous maternity leave policy reported fewer



1 depressive symptoms, even thirty years later when they were  
2 fifty years of age or older. For fathers, studies indicate that  
3 paid paternity leave can lead to men being more involved with  
4 their children and child care activities when compared with men  
5 who take no leave.

6 Several states and even the federal government have taken  
7 steps towards providing more robust parental leave plans. In  
8 2004, California became the first state to implement a paid  
9 family leave policy, and since then New Jersey, Rhode Island,  
10 and most recently New York have implemented similar legislation.  
11 In 2015, U.S. Senator Brian Schatz introduced a bill to Congress  
12 that proposed paid leave for six weeks of the twelve weeks of  
13 unpaid family leave provided under the Family and Medical Leave  
14 Act of 1993.

15 The legislature believes that Hawaii, with the State's  
16 emphasis on the importance of family and children, should be  
17 leading the way in ensuring that working families are adequately  
18 supported when providing care to a newborn or bonding with a new  
19 child. Therefore, the legislature finds that the state  
20 government should lead by example and afford a more generous  
21 maternity and paternity leave policy for state employees.



1           The purpose of this Act is to establish a government  
2 maternity and paternity leave policy that is on par with that of  
3 leading private-sector companies and other industrialized  
4 nations so that the State can ensure that Hawaii's working  
5 families are adequately supported when providing care to a  
6 newborn or bonding with a new child.

7           SECTION 2. Chapter 78, Hawaii Revised Statutes, is amended  
8 by adding a new section to be appropriately designated and to  
9 read as follows:

10           "§78-    Paid maternity and paternity leave. (a) An  
11 employee shall be entitled to a total of six weeks of paid  
12 maternity and paternity leave during any calendar year to care  
13 for the employee's child immediately following the birth of a  
14 child, the adoption of a child, or foster placement of a child  
15 with the employee.

16           (b) An employee granted leave of absence pursuant to this  
17 section shall be paid at their regular rate of pay for those  
18 regular hours during which the employee is absent from work,  
19 without loss of seniority, pay, vacation, sick leave, or earned  
20 overtime accumulations.



# H.B. NO. 683

1        (c) Paid maternity and paternity leave shall be payable  
 2 from any appropriation or fund available for salaries or  
 3 expenses for positions within the governmental department or  
 4 agency with which the employee is employed.

5        (d) Nothing in this section shall entitle an employee to  
 6 more than a total of twelve weeks of leave in any twelve-month  
 7 period. Any maternity and paternity leave that is not used  
 8 within the period specified in subsection (a) shall not  
 9 accumulate for any subsequent use."

10        SECTION 3. New statutory material is underscored.

11        SECTION 4. This Act shall take effect upon its approval.

12

INTRODUCED BY:

Gene A. Kuetzi

Guthrie Tucker

Linda DeChizone

John M. Hodge

Mark Popper

Don

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[Handwritten signature]  
[Handwritten signature]

JAN 20 2017



# H.B. NO. 683

**Report Title:**

Employment; Government Employees; Maternity Leave; Paternity Leave; Paid Leave

**Description:**

Establishes a 6-week paid maternity and paternity leave policy for government employees to ensure that Hawaii's working families are adequately supported during times of needing to provide care to a newborn or bond with a new child.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*





## HAWAII GOVERNMENT EMPLOYEES ASSOCIATION

AFSCME Local 152, AFL-CIO

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

The Twenty-Ninth Legislature, State of Hawaii  
House of Representatives  
Committee on Labor and Public Employment

Testimony by  
Hawaii Government Employees Association

February 14, 2017

### H.B. 683 - RELATING TO PUBLIC EMPLOYMENT

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO strongly supports the purpose and intent of H.B. 683 which establishes a 6-week paid maternity and paternity leave policy for government employees.

While the federal Family and Medical Leave Act allows employees up to 12 weeks of unpaid family leave each year, many employees cannot survive without compensation for that long and are forced with a hard choice: take much needed time to care for your child or return to work. Countless studies have shown the benefits of paid parental leave not only for the child but also for the parent. While there is continued discussion surrounding the creation and implementation of a statewide paid family program, if passed, H.B. 683 will immediately raise the standard for working families.

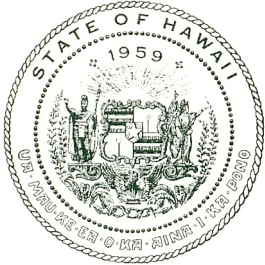
Thank you for the opportunity to testify in strong support of H.B. 683.

Respectfully submitted,

Randy Perreira  
Executive Director



HAWAII  
STATE  
COMMISSION  
ON THE  
STATUS  
OF  
WOMEN



Chair  
LESLIE WILKINS

COMMISSIONERS:

SHERRY CAMPAGNA  
CYD HOFFELD  
JUDY KERN  
MARILYN LEE  
AMY MONK  
LISA ELLEN SMITH

Executive Director  
CATHY BETTS, JD

Email:  
Catherine.a.betts@hawaii.gov

Visit us at:  
humanservices.hawaii.gov  
/hscsw/

235 S. Beretania #407  
Honolulu, HI 96813  
Phone: 808-586-5758  
FAX: 808-586-5756

February 14, 2017

To: Representative Aaron Ling Johanson, Chair  
Representative Daniel Holt, Vice Chair  
Members of the House Committee on Labor and Public Employment

From: Cathy Betts, Executive Director, Hawaii State Commission on the Status of Women

Re: Testimony in Support of Intent with Comments regarding HB 683, HB 214, and HB 213

On behalf of the Hawaii State Commission on the Status of Women, I would like to thank the Committee for hearing the various bills regarding family leave. The Commission supports the intent of these measures, but has serious concerns about several components of the bills, and thus, offers comments to potentially strengthen a family leave policy.

Current Access to Unpaid Family Leave

Currently, employees in Hawaii do not have any right to *paid* medical or family leave. While the federal Family Medical Leave Act (FMLA, which leaves out 40 percent of the workforce) allows for unpaid leave with job protection up to 12 weeks for employers with 50 or more employees, our own Hawaii Family Leave Act only applies to those with 100 or more employees and allows for job protection for up to 4 weeks. For employees at firms of less than 100 employees, the decision of whether you receive unpaid maternity leave, paternity leave, or leave to take care of an aging and ill parent or spouse is completely dependent on your employer. Most people working in Hawaii cannot take unpaid leave and still maintain financial stability.

It is clear that our current law needs to be revised and updated to provide true benefit to employees. Our workforce demographics are constantly changing. Today, women make up half of our workforce, yet 2/3 of women serve as sole or primary breadwinners for their families. Women make up the majority of caregivers to young children and elderly relatives.

Nationally and locally, the FMLA's coverage is narrow. As it is written, the FMLA excludes two-fifths of the workforce.<sup>1</sup> The only partial paid leave is our current Temporary Disability Insurance, or TDI program. However, TDI is time limited and men cannot take TDI for the birth of a child. For new mothers, using TDI means you may be able to receive partial wage replacement for 6 to 8 weeks, depending on the type of birth you have. Currently, state and government employees cobble together unused sick and vacation leave to take leave. However, state sick leave can only be used for a worker's own illness, which means male caregivers can only take their vacation leave (and not sick leave) to take care of a family member or new child.

HB 683 would allow for six weeks paid maternity/paternity leave for government employees. HB 214 would allow for four weeks of paid leave for all state employees. HB 213 would amend our current Hawaii Family Leave Law (HFLL) to include unpaid leave for a sibling's illness or a death in the family. HB 683 and HB 214 endanger a future paid family leave program for other workers for several reasons.

All paid family leave policies currently implemented in the United States have universal coverage. Like any other social insurance program, this requires all workers pay a small amount (usually less than .01 percent of average wages) into a fund so that all workers can obtain partial wage replacement while on leave. This ensures that the fund remains solvent and it ensures that workers contributions remain low. The wage replacement has a cap so that high income workers do not exhaust the fund. The leave is for rare life events, including the birth of a new child or caregiving for an elderly or seriously ill family member.

A carve out for only state or government employees would render a future affordable paid family leave proposal impossible because the solvency of the program would rely on deductions from only private sector workers, which would make it costly.

Additionally, financially solvent paid leave programs generally have broad definitions of family (not just maternity/paternity) leave in order to address the changing demographics of families. Especially true in Hawaii, our growing kupuna population and high percentage of multi-generational households compounds this need for elder care, spousal care, hospice care, etc. Limiting the leave to only maternity or paternity leave does little to address this problem.

Finally, with respect to HB 213, while the Commission supports broadening access to unpaid leave, the reality is that not many workers in Hawaii can take unpaid leave and remain financially stable. The Commission supports HB 213, while recognizing the overall need for access to *paid* leave throughout the State.

Thank you for very much for this opportunity to provide testimony in support of the intent of these measures with comments.

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<sup>1</sup> Family Values at Work, Updated FMLA Survey Results

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, February 10, 2017 3:58 PM  
**To:** LABtestimony  
**Cc:** victor.ramos@mpd.net  
**Subject:** \*Submitted testimony for HB683 on Feb 14, 2017 08:30AM\*

**HB683**

Submitted on: 2/10/2017

Testimony for LAB on Feb 14, 2017 08:30AM in Conference Room 309

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Victor K. Ramos	Individual	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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Committee on Labor & Public Employment

HB683. Relating to Public Employment

Tuesday, Feb. 14, 2017, 8:30am,

State Capitol, Conference room 309

Dear Chair Rep. Johanson, and Members of the Committee:

I am Jing Guo, an associate professor in the Myron B. Thompson School of Social Work at the University of Hawaii at Manoa. I am testifying to provide comments on the HB683, relating to Public Employment, which establishes a 6-week paid maternity and paternity leave policy for government employees to ensure that Hawaii's working families are adequately supported during times of needing to provide care to a newborn or bond with a new child.

First of all, I comment the legislature for recognizing the need of paid family leave for Hawaii's working families. I am also in support of including both maternity leave and paternity leave as part of paid parental leave policy. Paid parental leave will have benefits for families' economic security, health for mothers and infants, men's involvement in child care.

However, the bill only establishes paid parental leave for government employee. In order to ensure that working families in Hawaii are adequately supported, the State needs to find a solution to reach out all workers, particularly low-income workers. A merely 13 percent of US workforce has paid family leave through their employers. Among low-wage workers, just 5 percent have access to employer-provided paid family leave.

Regarding private-sector companies, national data show that access to paid maternity leave at large companies is decreasing. The percentage of larger employers voluntarily offering paid leave for new mothers fell from 17 percent in 2005 to nine percent in 2012.

The State government should not just lead by example by providing paid parental for state employees. The State could lead by example by establishing paid parental leave for all workers, join other States like California, to be a leader in paid family leave policy. A new report on California's paid family leave (2017) shows that despite certain challenges in taking leave among low-wage employers, the paid family leave is viewed as an important support for both parent and child well-being.

Thank you for the opportunity to testify.

Sincerely,

Jing Guo

jingguo@hawaii.edu

COMMITTEE ON LABOR & PUBLIC EMPLOYMENT

Rep. Aaron Ling Johanson, Chair

Rep. Daniel Holt, Vice Chair

Rep. Jarrett Keohokalole

Rep. Kyle T. Yamashita

Rep. Mark M. Nakashima

Rep. Lauren Kealohilani Matsumoto

Rep. Roy M. Takumi

Tuesday, February 14, 2017

8:30 AM

Conference Room 309

**Comments on HB 683, HB213 & HB 214 Related to Family Leave**

Aloha Chair Johanson and Vice Chair Holt, and Members of the Committees:

My name is Shay Chan Hodges and I have been a Maui resident for twenty-five years. I have two sons who are graduates of King Kekaulike High School. One is in his second year of college in Pennsylvania and the other is taking a gap year from Wesleyan University.

As you may recall, in July of 2015, former U.S. Secretary of Labor Tom Perez came to Hawaii to convene a Roundtable on Paid Family Leave. I flew from Maui to attend the roundtable and participate in filming the event because I believe that paid family leave is critical to Hawaii's economic future. Mr. Perez spoke about the high numbers of qualified women who drop out of the workforce because the "childcare math" doesn't pencil out, and how this loss of talent impacts the health of the U.S. economy and our nation's ability to compete on a global scale. Furthermore, when women must make the false choice to care for families rather than work outside the home, their wages are reduced in both the short and long-terms, contributing to the gender wage gap. Conversely, when women are supported in the work force, and do not have to choose between economic livelihood and caregiving responsibilities, their earnings increase dramatically.

Currently, women in Hawaii who are employed full time lose a combined total of more than 1.4 billion dollars annually due to the prevailing wage gap, which exists regardless of industry, occupational choice, or educational attainment level. **For families, this wage gap can impact the ability to pay for childcare, medical bills, utilities, and even rent. And these losses are not only connected to the care of children -- nor do they only apply to women. Currently, 240,000 Hawaii employees serve as primary caregivers**

**to a family member, and by 2020, an estimated 40% of the workforce will be providing care for older parents.**

Our economy depends on all of the people of Hawaii having the ability to contribute both labor and intellectual capital, even if they have to take breaks to care for loved ones. At the Roundtable with former Sec. Perez last summer, union representatives noted the impact of caregiving on Hawaii's multi-generational households.

In mid-January, I returned to Hawaii from a month in Stockholm, Sweden, where I met with unions and start-ups to work on strategies for supporting workers and the innovation economy in Europe and the US. In addition to very exciting conversations about strengthening worker rights, intellectual property rights, and building up the high-tech economy in Hawaii, there were many conversations about the importance of a safety net for families.

**As you may know, parents in Sweden receive 480 days of family leave. That's over 68 weeks and "family leave" doesn't include additional time off for giving birth, or paid leave for pregnant women who are not able to do their jobs for medical reasons. Paid family leave is shared by both parents.**

**At the same time, Sweden was just ranked 1<sup>st</sup> for business by Forbes Magazine. Meanwhile, the US continued its downward slide to 23.**

Sweden is also considered one of the most innovative countries in the world, based on the caliber of universities, the number of scientific publications and international patent filings. We were fortunate to spend quite a bit of time with one of Sweden's national treasures last month, the inventor of GPS and the color monitor.

Per Forbes, taxes are still high in Sweden relative to the rest of the developed world. And those taxes pay for social supports such as paid family leave, subsidized child care, free college, and health insurance.

Our time spent in Sweden with start-up founders and inventors made it very clear to us that when families are supported, individuals can be innovative and take risks without jeopardizing their children's health and security. Meanwhile, as we've seen in our own state, when families are strapped and are basically holding their lives together with scotch tape and paper clips, it is much harder to have the time or resources to be innovative.

Yet some people are getting it. In our own country, innovative employers are recognizing the financial value of providing paid child care to their workers. Companies like Amazon, Facebook, Yahoo, Microsoft, Netflix, Adobe, Zillow and Spotify have instituted groundbreaking paid leave policies for American employees. And at least twenty-five localities, including New York City and Boston, and jurisdictions in Minnesota, Oregon, and Pennsylvania, are instituting paid leave for municipal workers this year.

If we want to keep up economically, Hawaii needs to step up.

**Any Legislative Proposal for paid leave that the state of Hawaii considers needs to include:**

- Universal paid family leave--- where all employees pay in, and all employees can take out.
- A broad definition of family to encompass the changing demographics of Hawaii's families.
- A wage replacement program for caregivers. More progressive wage replacement for lower income workers is preferred in order for low-income workers to actually be able to utilize the leave.
- A cap on wage replacement so higher income workers do not exhaust the fund.
- At least 12 weeks. Biological mothers should not be foreclosed from also using TDI. (Again, Sweden has 68 weeks of paid family leave and is ranked #1 in the world for business)

In closing, I was very gratified to see so many legislators and business leaders in attendance at the Roundtable with Secretary Perez back in 2015, many of whom asked crucial questions about implementation of paid leave policies in Hawaii. It is clear that now more than ever, Hawaii's lawmakers, many of whom are caregivers themselves, understand that a thriving economy is only as strong as the families that participate in it.

I urge you to pass a paid leave law that truly supports women, parents, and all caregivers – and thereby supports our residents in creating the economy of the future that this state so sorely needs.

Mahalo.

Shay Chan Hodges  
Haiku, Maui, Hawaii

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, February 12, 2017 7:45 PM  
**To:** LABtestimony  
**Cc:** emcilroy@gmail.com  
**Subject:** Submitted testimony for HB683 on Feb 14, 2017 08:30AM

**HB683**

Submitted on: 2/12/2017

Testimony for LAB on Feb 14, 2017 08:30AM in Conference Room 309

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Emily McIlroy	Individual	Comments Only	No

Comments: Paid family leave is essential for individual and community health. Let's give it to everyone!

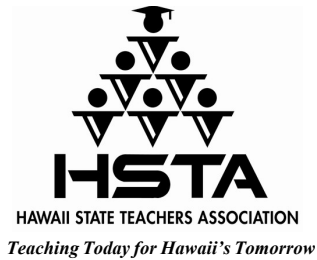
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HB 683

Late Testimony



**LATE**

**LATE**

**LATE**

1200 Ala Kapuna Street ■ Honolulu, Hawaii  
Tel: (808) 833-2711 ■ Fax: (808) 839-7106 ■ Web: [www.hsta.org](http://www.hsta.org)

TESTIMONY BEFORE THE HOUSE COMMITTEE ON  
LABOR & PUBLIC EMPLOYMENT

RE: HB 683 - RELATING TO PUBLIC EMPLOYMENT

TUESDAY, FEBRUARY 14, 2016

COREYROSENLEE, PRESIDENT  
HAWAII STATE TEACHERS  
ASSOCIATION

Chair Johanson and Members of the Committee:

The Hawaii State Teachers Association supports **HB 683** relating to public employment.

The Hawaii States Teachers Association is made of 13,500 educators, 80% of which are women. Currently these women have to take sick leave in order to give birth and to take care of their newborn children. If they do not have enough sick leave accrued, they lose pay

The United States is one of only two countries, the other being Papua New Guinea that does not offer paid maternity leave. We are punishing women for being women, because what happens when these teachers use up all of their sick leave, they have no other sick days to use when they actually get sick. Giving birth is not an illness, and our female teachers are discriminated against because of our current practices. They are also left many times to care for their baby and themselves, no matter what their state, and thus paternity leave is also needed to help with the care of a new mother and baby. This bill would also provide paternity leave. Studies indicate that paid paternity leave can allow men to become more involved with their children and childcare activities when compared with men who take no leave. This type of parental support strengthens the family unit.

HSTA is concerned not only for our teachers, but also for our students and their families, especially those who are living paycheck to paycheck, and cannot afford to lose pay, and need paid maternity and paternity leave, thus we **support** this bill.

Corey Rosenlee  
President  
Justin Hughey  
Vice President  
Amy Perruso  
Secretary-Treasurer  
Wilbert Holck  
Executive Director

**LATE**



**LATE**

To: The Honorable Aaron Ling Johanson, Chair  
The Honorable Daniel Holt, Vice Chair  
Members of the House Committee on Labor and Public Employment

**LATE**

From: Jessica Yamauchi, Executive Director, Hawai'i Public Health Institute

Re: **Comments for HB 683, Relating to Public Employment**  
**Comments for HB 214 and HB 213, Relating to Paid Family Leave**

Hrg: February 14, 2017 at 8:30 am at Conference Room 309

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Thank you for the opportunity to testify offering comments on HB 683, Relating to Public Employment, and HB214 and HB213, Relating to Paid Family Leave.

Created by the legislature in 2012, the Obesity Prevention Task Force is comprised of over 20 statewide organizations, and works to make recommendations to reshape Hawai'i's school, work, community, and health care environments, making healthier lifestyles obtainable for all Hawai'i residents. The Hawai'i Public Health Institute (HIPHI) convenes the Task Force and supports and promotes policy efforts to create a healthy Hawai'i.

We are strongly in support of Hawaii enacting a Paid Family Leave law, but would like to offer concerns about these measures as written. We recommend that the committee consider the stronger and more comprehensive policy described in HB1362, which applies to all Hawaii workers and not just state employees. It is time for Hawai'i to pass a strong Family Leave Insurance policy. Employees need subsidized time off of work to care for a newborn, newly adopted or foster child, or an ill family member. Paid Family Leave guarantees that employees can cover basic costs of living, yet they can also provide care to family members when they need it most.

Paid time off for families to care for a newborn also helps to establish a foundation in breastfeeding. Infant feeding practices can greatly affect later growth and development and can be a protective factor against obesity.<sup>1</sup> The American Academy of Pediatrics and the World Health Organization recommend exclusive breastfeeding for the first six months of life and continued breastfeeding with the addition of other foods until a child is at least twelve months of age.<sup>2</sup>

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<sup>1</sup> S. Arenz et al., *Breast-feeding and childhood obesity - a systematic review*, 28(10) International Journal of Obesity and Related Metabolic Disorders 1247-56 (2004).

<sup>2</sup> American Academy of Pediatrics, *AAP Reaffirms Breastfeeding Guidelines*, <https://www.aap.org/en-us/about-the-aap/aap-press-room/pages/AAP-Reaffirms-Breastfeeding-Guidelines.aspx> (last updated February 27, 2012).

“A robust body of evidence suggests that breastfeeding has multiple health benefits for infants, and that paid family leave (and other forms of maternity leave) significantly increases the length of time that mothers breastfeed. In a review and analysis of studies of breastfeeding in developed countries, the U.S. Agency for Healthcare Research and Quality found that full-term infants fed formula are at substantially greater risk than breastfed infants for acute ear infection, eczema, gastrointestinal infection, hospitalization for lower respiratory tract diseases in the first year of life, asthma, childhood obesity, Type 2 diabetes, leukemia, and sudden infant death syndrome (SIDS).”<sup>3</sup>

Four other states (California, New Jersey, Rhode Island, and New York) have passed laws that provide employees with paid family leave for parenting and caregiving for family members. A 10 year study of the California law found increased employee loyalty, a healthier workforce, longer breastfeeding rates, lower rates of postpartum depression, more gender equity in child care and caregiving. Businesses report little negative consequences after the law was enacted and these laws are revenue neutral to the state.

Under federal and state law, the only leave allowed to families with a newborn child or unexpected caregiving responsibilities is unpaid leave. Hawai'i has no paid family leave, unless an employer willingly provides it.

Any Legislative Proposal for Paid Family Leave Should Include:

- Universal paid family leave--- all employees pay in, and all employees can take out.
- A broad definition of family to encompass the changing demographics of Hawaii's families.
- Wage replacement program for caregivers. More progressive wage replacement for lower income workers is preferred in order for low income workers to actually be able to utilize the leave.
- A cap on wage replacement so higher income workers do not exhaust the fund.
- At least 12 weeks. Biological mothers should not be foreclosed from also using TDI.

Thank you for the opportunity to provide testimony and recommendations.

Mahalo,



Jessica Yamauchi, MA  
Executive Director, HIPHI

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<sup>3</sup> [http://www.nccp.org/publications/pdf/text\\_1059.pdf](http://www.nccp.org/publications/pdf/text_1059.pdf)

February 13, 2017

To: Representative Aaron Ling Johanson, Chair  
Representative Daniel Holt, Vice Chair  
Committee on Labor & Public Employment

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

Re: **HB 683- Relating to Public Employment**  
**Hawaii State Capitol, Room 309, February 14, 2017, 8:30 AM**

**LATE**

**LATE**

**LATE**

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**On behalf of Hawaii Children's Action Network (HCAN), we are writing to provide COMMENTS on HB 683- Relating to Public Employment.**

Although HCAN supports Paid Family Leave, we feel it should be part of a comprehensive package for all workers and should provide a minimum of 12 weeks. **We strongly suggest the committee adopt the more comprehensive language in HB1362.**

This bill as drafted would establish a Paid Family Leave Program for government workers, yet does not provide the needed provisions for all families in Hawaii. To make this bill beneficial for the state and families it needs to include in addition to the 12 weeks, the following:

- Universal coverage – all people and employers would participate in the system
- Job Protection – if a person is not guaranteed a job upon completion of the leave, they likely will not take the leave
- Expanded Definition of Family – In Hawaii, we have multiple generations, hanai family, and many other different caretakers for children, these all need to be included

We commend the aspects of this bill that provide for:

- Wage Replacement – Many families live paycheck to paycheck and would never be able to take time off if not receiving their full wages. With this bill there will be no loss of wages, seniority, or earned leave time.
- Gender Equity – both mothers and fathers need the opportunity to bond with new children, it is not just “maternity leave”

Currently, Hawaii employees do not have a right to paid medical or family leave. The federal Family Medical Leave Act (which leaves out 40 percent of the state's workforce) provides for unpaid leave with job protection up to 12 weeks for employers with 50 or more employees. The state Family Leave Act applies to employers with 100 or more employees and allows for job protection up to four weeks. This is also unpaid leave.

According to the U.S. Department of Labor, Bureau of Labor Statistics, about 13 percent of U.S. workers had access to paid family leave through their employers in 2014. Women are often disproportionately affected, as they are the primary caregivers of infants, children and aging parents. The lack of paid family leave exacerbates the gender wage gap for women and affects the economic stability for both women and men who are caregivers.

It's a stark reality when employees face the dire choices of needing to be able to care for newborn children, or sick children, spouses or parents, but also needing to work to sustain their family's income. Hawaii needs a leave policy that will enable workers to take a small number of weeks out of the workforce and not have to face the impossible choice between their family member's health and their income or jobs.

Other states including California, New Jersey, Rhode Island and Washington and dozens of cities and counties have implemented paid family leave programs and momentum is building to establish similar programs in other states and jurisdictions.

Hawaii's working families need a comprehensive paid family leave standard. Families should not have to risk their family's economic security to meet their care giving obligations.

**For these reasons, HCAN respectfully requests that the committee significantly amend this bill.**

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>.

**LATE**

**LATE**

**LATE**

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 14, 2017 7:49 AM  
**To:** LABtestimony  
**Cc:** beckypgardner@gmail.com  
**Subject:** Submitted testimony for HB683 on Feb 14, 2017 08:30AM

**HB683**

Submitted on: 2/14/2017  
Testimony for LAB on Feb 14, 2017 08:30AM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
Becky Gardner	Individual	Comments Only	No

Comments: I submit this testimony in support as a Hawaii resident, and not in my capacity as a civil servant to the State of Hawaii. But it would be better if everyone could benefit from such a policy, not just government employees.

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.

Do not reply to this email. This inbox is not monitored. For assistance please email [webmaster@capitol.hawaii.gov](mailto:webmaster@capitol.hawaii.gov)

**LATE**

TO: Representative Aaron Ling Johanson, Chair  
Representative Daniel Holt, Vice Chair  
Committee on Labor and Public Employment

**LATE**

HEARING: Tuesday, February 14, 2017  
8:30 AM  
Conference Room 309

**LATE**

FROM: Bethany Rasmussen

RE: In Support of HB 683, Relating to Public Employment

My name is Bethany Rasmussen. I am a current social work graduate student at the University of Hawaii at Manoa, and a future employee of West Hawaii Child Welfare Services. I am testifying in favor of HB 683, Relating to Public Employment, which would establish a 6-week paid maternity and paternity leave policy for government employees to ensure that Hawaii's working families are adequately supported when caring for and bonding with a new child whether through birth, adoption, or foster care.

Bonding and attachment with caregivers in the first months of a child's life are extremely critical for healthy child development, setting the stage for emotional regulation, expression of feelings and communication, and learning trust and security. Family leave during this crucial time helps to support both children and caregivers in facilitating this attachment process.

Although state employees are able to take unpaid maternity and paternity leave through the Family Medical Leave Act, many families are unable to afford this, especially with Hawaii's high cost of living. As a young professional, soon to be entering the high stress field of Child Welfare Services, I want to know that my family and I will be valued and supported by my employer. I don't want to have to choose between the health and wellbeing of my child and serving my community through my job. With high employee burnout and turnover, especially in the human services divisions, this bill will provide an incentive for employees who wish to start families, knowing that they will not be left unsupported with this difficult choice. This bill provides an opportunity for the State of Hawaii to communicate and demonstrate to their employees that they are valued, their families are valued, and their keiki are valued.

According to Pew Research Center, in a study of family leave policies in forty-one countries, the United States ranks last as the only country that has no guaranteed paid family leave. If this country claims to value its workers, families, and children, then we need to begin creating policies that reflect these values. HB 683 is a step in the right direction for the State of Hawaii in supporting its employees and families. I am in support of HB 683, Relating to Public Employment. Thank you for the opportunity to testify.

Bethany Rasmussen; brasmuss@hawaii.edu





Tuesday, February 14, 2017  
8:30 AM  
Conference Room 309

**LATE LATE LATE**

healthy  
mothers  
healthy  
babies  
COALITION  
OF HAWAII

**To:** Honorable Aaron Ling Johanson, Chair  
Honorable Daniel Holt, Vice Chair  
House Committee Members on Labor & Public Employment  
**From:** Lisa Kimura, Executive Director, Healthy Mothers Healthy Babies Coalition of Hawaii  
**Re:** **Comments Regarding H.B. 683: Paid Family Leave / Maternity and Paternity Leave**

Thank you for this opportunity for **Healthy Mothers Healthy Babies Coalition of Hawaii to offer comments in regard to H.B. 683.** H.B. 683 would allow for six weeks paid maternity and paternity leave for government employees. While good in theory, if we are to ever implement a PFL policy for ALL workers in the state and government workers are secluded from paying into the fund, the program would be prohibitively expensive to run and likely not financially solvent. There would be less motivation to pass a publicly-funded PFL program if workers in the private sector would bear the majority of the costs.

Healthy Mothers Healthy Babies Coalition of Hawaii stands in strong support of establishing a Paid Family Leave program in the State of Hawaii, however, **H.B. 683 does not adequately represent all aspects we wish to see in a PFL program,** and therefore we are offering comments.

Any legislative proposal for Paid Family Leave (PFL) should include:

- **Universal PFL – all employees** pay in, and **all employees** can take out.
- At least **12 weeks of PFL** for all.
- **More progressive wage replacement** for lower income workers is preferred in order for low income workers to actually be able to utilize the leave.
- A broad definition of family to encompass the changing demographics of Hawaii’s families.
- Wage replacement program for caregivers.
- A cap on wage replacement so higher income workers do not exhaust the fund.
- Biological mothers should not be foreclosed from also using Temporary Disability Insurance (TDI).

Paid Family Leave enables families the opportunity to receive paid leave for family caregiving responsibilities. Hawaii families frequently find themselves choosing between a paycheck and their family needs during critical periods of life – something no one should be forced to do.

We are working to provide universal eligibility, job protection, and partial wage replacement through a **100% employee funded payroll contribution**. In the event an employee has to **care for a newborn, adopted child, or family member (including spouses and parents)** with a serious illness, this means not having to choose between a paycheck and family.

Paid leave is pro-business, pro-family, and a win-win for employees, small and large businesses, and ultimately, Hawaii’s economy.

**We appreciate the committee considering these comments. Thank you for the opportunity to testify.**



**LATE**

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**COMMITTEE ON LABOR AND PUBLIC EMPLOYMENT**

**Aaron Ling Johanson, Chair**

**Daniel Holt, Vice Chair**

DATE: Tuesday, February 14, 2017

TIME: 8:30 AM

PLACE: Conference Room 309

**Support for HB683 RELATING TO PUBLIC EMPLOYMENT.**

**Establishes a 6-week paid maternity and paternity leave policy for government employees to ensure that Hawaii's working families are adequately supported during times of needing to provide care to a newborn or bond with a new child.**

Aloha Chair Johanson, Vice Chair Holt and members,

This measure is good as far as it goes, but all the workers of Hawaii need this kind of leave with protections against discrimination and retaliation.

Mahalo for the opportunity to testify,

Ann S. Freed Co-Chair, Hawai'i Women's Coalition

Contact: [annsreed@gmail.com](mailto:annsreed@gmail.com) Phone: 808-623-5676

**LATE**

**LATE**

LATE TESTIMONY for Measure: HB683/ HB214

<b>Committee</b>	LAB
<b>Committee Referrals</b>	LAB
<b>Date of Hearing</b>	
<b>Organization</b>	VHPA
<b>Name of Testifier</b>	CHRISTIAN FERN
<b>Job Title of Testifier</b>	ASSOCIATE EXECUTIVE DIRECTOR
<b>Position – Circle One</b>	<input checked="" type="radio"/> Support / Oppose / Comments
<b>Category – Circle One</b>	Fed Govt. / State Govt. / County Govt. / Industry / <input checked="" type="radio"/> Private
<b>Notes:</b>	WE WILL BE SUBMITTING LATE TESTIMONY ONLINE.