

STAND. COM. REP. NO.

211

Honolulu, Hawaii

February 10, 2017

RE: H.B. No. 1434

H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Ninth State Legislature
Regular Session of 2017
State of Hawaii

Sir:

Your Committee on Labor & Public Employment, to which was referred H.B. No. 1434 entitled:

"A BILL FOR AN ACT RELATING TO LABOR,"

begs leave to report as follows:

The purpose of this measure is to require employers of 25 or more food establishment workers to provide the workers with paid time off for:

- (1) Illness, treatment, and preventative medical care of the worker and the worker's spouse and children; and
- (2) Treatment arising from domestic violence and sexual assault.

The International Brotherhood of Electrical Workers Local Union 1260, AFL-CIO; Hawaii State AFL-CIO; International Organization of Masters, Mates & Pilots; Graduate Student Organization of the University of Hawaii at Manoa; International Longshore and Warehouse Union Local 142; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and Hawaii State Coalition Against Domestic Violence supported this measure. The Department of Labor and Industrial Relations, Hawaii State Commission on the Status of Women, and Hawaii Women's Coalition supported the intent of this measure. The Hawaii Restaurant Association; Hawaii Food Industry Association; The Chamber of Commerce Hawaii; L & L Franchise, Inc.; National Federation of

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Independent Business Hawaii; Highway Inn; Minit Stop Stores; Society for Human Resource Management-Hawaii Chapter; and two concerned individuals opposed this measure.

Your Committee finds that the recent outbreak of Hepatitis A in the State demonstrates the impact the food service industry has on public health.

Your Committee has amended this measure by:

- (1) Removing from the definition of "food establishment", any place maintained, used, or operated for the purpose of storing food;
- (2) Allowing service workers to use paid sick leave for illness, treatment, and preventative medical care of the worker's parent and grandparent;
- (3) Prohibiting employers from discharging, threatening, or retaliating against a service worker for using paid sick leave; and
- (4) Changing its effective date to July 1, 2050, to facilitate further discussion.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1434, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1434, H.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Labor & Public
Employment,


AARON LING JOHANSON, Chair



