

STAND. COM. REP. NO.

696

Honolulu, Hawaii

February 17, 2017

RE: H.B. No. 809  
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. 809 entitled:

"A BILL FOR AN ACT RELATING TO EMPLOYMENT,"

begs leave to report as follows:

The purpose of this measure is to clarify that Hawaii's anti-discrimination law does not prohibit or prevent an employer, employment agency, or labor organization from refusing to hire or refer, or from discharging an individual, for reasons unrelated to unlawful discriminatory practices.

The Chamber of Commerce Hawaii, Ocean Tourism Coalition, Fair Wind Cruises, and Society for Human Resource Management Hawaii Chapter testified in support of this measure. The Hawaii Civil Rights Commission, International Longshore and Warehouse Union Local 142, and Fujiwara & Rosenbaum, LLC testified in opposition.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2050, to facilitate further discussion; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.



Your Committee finds that the intent of this measure is to preserve an employer's prerogative to refuse to hire or refer or to discharge an individual for legitimate, work-related reasons that are not discriminatory. Should the Committee on Judiciary deliberate on this measure further, your Committee respectfully requests that it consider if this measure goes beyond the scope of this intent.

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. 809, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 809, 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,



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AARON LINE JOHANSON, Chair



