

# HB 214

RELATING TO PAID FAMILY LEAVE.

LAB, FIN

# HB214



Submit Testimony

**Measure Title:** RELATING TO PAID FAMILY LEAVE.  
**Report Title:** State Employees; Paid Family Leave  
**Description:** Provides for four weeks of paid family leave for full-time State employees.  
**Companion:**  
**Package:** None  
**Current Referral:** LAB, FIN  
**Introducer(s):** JOHANSON, BELATTI

<u>Sort by</u> <u>Date</u>		<b>Status Text</b>
1/19/2017	H	Pending introduction.
1/20/2017	H	Pass First Reading
1/23/2017	H	Referred to LAB, FIN, referral sheet 1
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 PAID FAMILY LEAVE.

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

1           SECTION 1. Chapter 78, Hawaii Revised Statutes, is amended  
2 by adding a new section to be appropriately designated and to  
3 read as follows:

4           "§78-    Paid family leave. (a) Employees of the State  
5 shall be eligible for four weeks of family leave with pay during  
6 any calendar year for:

7           (1) The birth of a child of the employee;

8           (2) The placement of a child for adoption or foster care  
9           by the employee; or

10          (3) The employee's care of the employee's child, spouse or  
11          reciprocal beneficiary, or parent who has a serious  
12          health condition.

13          (b) Paid family leave:

14          (1) May be taken by the employee intermittently during the  
15          calendar year;

16          (2) Shall not accumulate from year to year; and



# H.B. NO. 214

1        (3) Shall not replace the employee's unpaid family leave,  
2        vacation, or sick leave, or any combination thereof.

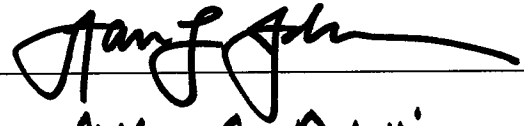

3        (c) Employees shall be eligible for paid family leave upon  
4        the employee's completion of                    months of service after July  
5        1, 2017. Part-time, intermittent, or casual employees shall not  
6        be eligible for paid family leave."

7        SECTION 2. New statutory material is underscored.

8        SECTION 3. This Act shall take effect on July 1, 2017.

9

INTRODUCED BY:

JAN 19 2017



# H.B. NO. 214

**Report Title:**

State Employees; Paid Family Leave

**Description:**

Provides for four weeks of paid family leave for full-time State employees.

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



DAVID Y. IGE  
GOVERNOR



JAMES K. NISHIMOTO  
DIRECTOR

RYKER WADA  
DEPUTY DIRECTOR

**STATE OF HAWAII**  
**DEPARTMENT OF HUMAN RESOURCES DEVELOPMENT**  
235 S. BERETANIA STREET  
HONOLULU, HAWAII 96813-2437

FEBRUARY 13, 2017

TESTIMONY TO THE  
HOUSE COMMITTEE ON LABOR & PUBLIC EMPLOYMENT  
For Hearing on TUESDAY, FEBRUARY 14, 2017  
8:30 a.m., Conference Room 309

By

JAMES K. NISHIMOTO  
DIRECTOR

**House Bill No. 214**  
**Relating to Paid Family Leave**

CHAIRPERSON JOHANSON, VICE-CHAIR HOLT AND MEMBERS OF THE HOUSE COMMITTEE ON LABOR & PUBLIC EMPLOYMENT:

Thank you for the opportunity to provide testimony on H.B. No. 214.

H.B. No. 214 provides four weeks of paid family leave for full-time State employees for the birth of employee's child, placement of a child for adoption or foster care by the employee, and to care for employee's family member who has a serious health condition.

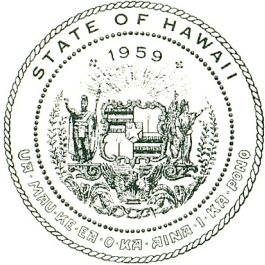
The Department of Human Resources Development respectfully **OPPOSES** H.B. 214 as State employees are already afforded generous vacation and sick leave benefits which can be utilized for the purposes designated in this bill.

H.B. 214 also appears to be in conflict with existing law. Act 253, SLH 2000, removed routine human resource policy and management matters from civil service laws and included the enactment of HRS Section 78-23. That section specifically

provides that employees “shall be eligible for vacation leave, sick leave, and other leaves of absence, with or without pay, as negotiated under chapter 89 or adjusted under chapter 89C, as applicable.” H.B. 214 accordingly attempts to legislate in an area that is required by statute to be a mandatory subject of negotiation.

Given the foregoing, we recommend that H.B. 214 be held.

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



**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. 214 – RELATING TO PAID FAMILY LEAVE

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO supports the purpose and intent of H.B. 214 which provides for 4-weeks of paid family leave for full-time state employees, with a proposed amendment to provide this benefit to government employees in all jurisdictions.

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 yourself, your child or family member, or return to work. This important legislation will ensure that government employees not only have job security but also financial stability when confronted with a serious health condition.

Thank you for the opportunity to testify in strong support of H.B. 214, with a proposed amendment to include all government employees, regardless of jurisdiction.

Respectfully submitted,

Randy Perreira  
Executive Director



To: Rep. Aaron Ling Johanson, Chair  
Rep. Daniel Hold, Vice Chair  
Members of the Committee on Labor and Public Employment

From: Patricia Bilyk, APRN, MSN, MPH, IBCLC  
Breastfeeding Hawaii  
Board Member

RE: HB 214 RELATING TO PAID FAMILY LEAVE  
Hawaii State Capitol, Room 309

Date and Time: Tuesday, February 14, 2017 8:30AM

Good Morning Chair Johanson, Vice Chair Hold and Committee Members. I am Patricia Bilyk, a Board Member of Breastfeeding Hawaii. I am an Advanced Practice Registered Nurse and International Board Certified Lactation Consultant, specializing in Maternal Infant Nursing for over 40 years. I am speaking on behalf of Breastfeeding Hawaii to offer comments on **HB 214 as well as HB683 and HB213, all related to Paid Family Leave.**

Breastfeeding Hawaii is a 501c3 non profit organization supporting, protecting and promoting breastfeeding in the State of Hawaii. In the past, Breastfeeding Hawaii has worked with the Legislature to create laws to significantly help the breastfeeding mother, her infant and her family. Some of the laws passed were: Breastfeeding in the Workplace, normalizing

Breastfeeding in Public and most recently the Exemption from Jury Duty of a Breastfeeding Mother.

Our goal as an organization has been always to support the woman and her family to breastfeed and/or provide her breast milk for as long as she possibly could. We feel Comprehensive Paid Family Leave helps the woman and her family to accomplish this goal- a goal which benefit's the woman, her infant, her family and the society as a whole.

Therefore, we are strongly in support of Hawaii enacting a Paid Family Leave law, but have concerns about the measures you are hearing today. We recommend that the Committee consider the stronger and more comprehensive policy described in HB 1352.

We feel it is time for Hawaii to pass a strong Family Leave Insurance policy. Women and their partners need time off from work to care for a newborn or newly adopted infant. Paid Family Leave guarantees that they can cover basic costs of living, yet be together at this developmentally critical time in their relationship as a family.

Presently under federal and state law, the only leave allowed to families with a newborn child is **unpaid leave**. Hawaii has no paid family leave, unless an employer willingly provides it.

Four other states (California, New Jersey, Rhode Island and New York) have passed laws that provide employees with paid family leave for parenting. 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 care giving. **Businesses report little negative consequences after the law was enacted and these laws are revenue neutral to the state.**

We feel any Legislative Proposal for Paid Family Leave should include components not only for the family with a newborn or adopted infant but

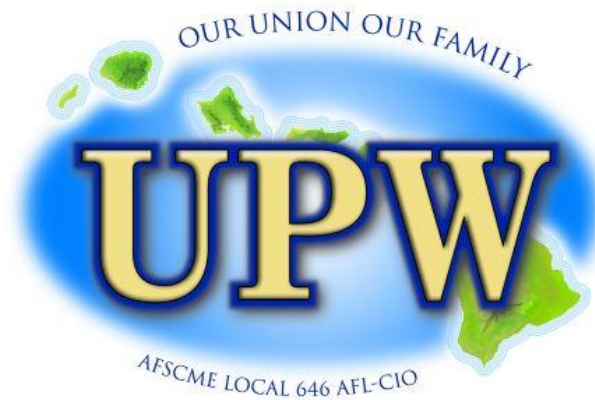
families needing time away from the workplace to care for a sick child or family member. Therefore we suggest the following components:

1. Universal paid family leave-all employees pay in, and all employees can take it out.
2. A broad definition of family to encompass the changing demographics of Hawaii's families.
3. Wage replacement program for caregivers especially for lower income workers so they are able to use the leave.
4. A cap on wage replacement so higher income workers do not exhaust the fund.
5. At least 12 weeks, with biological mothers not being foreclosed from also using TDI.

We feel that Paid Family Leave is pro-business, pro-family and a win-win for employees, small and large businesses, and our State as a whole.

We encourage you to strengthen the legislation with our suggestions to reflect a stronger Paid Family Leave Bill.

Thank you for letting us express our opinion.



THE HAWAII STATE HOUSE OF REPRESENTATIVES  
The Twenty-Ninth Legislature  
Regular Session of 2017

COMMITTEE ON LABOR AND PUBLIC EMPLOYMENT  
The Honorable Representative Aaron Ling Johanson, Chair  
The Honorable Representative Daniel Holt, Vice Chair

DATE OF HEARING: Tuesday, February 14, 2017  
TIME OF HEARING: 8:30 a.m.  
PLACE OF HEARING: State Capitol, Rm. 309  
415 South Beretania Street

**TESTIMONY ON HOUSE BILL 214 RELATING TO PAID FAMILY LEAVE**

By DAYTON M. NAKANELUA,  
State Director of the United Public Workers,  
AFSCME Local 646, AFL-CIO ("UPW")

My name is Dayton M. Nakanelua, State Director of the United Public Workers, AFSCME, Local 646, AFL-CIO (UPW). The UPW is the exclusive bargaining representative for approximately 12,000 public employees, which include blue collar, non-supervisory employees in Bargaining Unit 01 and institutional, health and correctional employees in Bargaining Unit 10, in the State of Hawaii and various counties. The UPW also represents about 1,500 members of the private sector.

HB214 amends HRS 78 by including similar provisions of HRS 398 Family Leave (Hawaii). The significant amendment is the provision of paid family leave for a state employee. It is also suggested that page 2, line 4 read as follows: "...the employee's completion of six (6) months of service..." This six month provision would be the same as HRS 398-1 in defining who is an "employee".

The UPW supports HB214 and request the committee to pass it out to the Finance Committee. Thank you for the opportunity to submit this testimony.



From: Anthony Lenzer <tlenzer@hawaii.rr.com>  
Sent: Sunday, February 12, 2017 3:27 PM  
To: LABtestimony  
Subject: Testimony re HB 214, HB 683, and HB 213

To: Rep. Aaron Ling Johanson, Chair  
Rep. Daniel Holt, Vice Chair  
Committee on Labor and Public Employment

From: Anthony Lenzer, PhD

RE: HB 214 RELATING TO PAID FAMILY LEAVE

Hawaii State Capitol, Room 309; 2/14/17 8:30am

On behalf of the Policy Advisory Board for Elder Affairs (PABEA) I am writing to offer comments on HB214, as well as HB 683 and HB 213, all related to Paid Family Leave. PABEA is an advisory body to the Executive Office on Aging (EOA) re issues related to aging, and serves as an advocate for Hawaii's Kupuna and their families. PABEA's views do not necessarily reflect those of the EOA.

We strongly support enactment of a Hawaii Paid Family Leave law, but have concerns about these measures as written.

**We recommend that the Committee consider the stronger and more comprehensive policy described in HB1362.**

It is time for Hawaii 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, and also provide care to family members when they need it most.

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, and more gender equity in child care and caregiving. Businesses report little negative consequences after the law was enacted, and laws such as this do not impose additional financial burdens on 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.

**Ideally, Legislative Proposals 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 Hawaii's cultural views of the term "family."

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 testify on this important subject.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, February 10, 2017 8:44 PM  
**To:** LABtestimony  
**Cc:** clareloprinzi@gmail.com  
**Subject:** Submitted testimony for HB214 on Feb 14, 2017 08:30AM

**HB214**

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>
clare loprinzi	Individual	Support	No

Comments: Essential and humanitarian and needed

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, February 10, 2017 3:59 PM  
**To:** LABtestimony  
**Cc:** victor.ramos@mpd.net  
**Subject:** \*Submitted testimony for HB214 on Feb 14, 2017 08:30AM\*

**HB214**

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:

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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:** Monday, February 13, 2017 8:33 AM  
**To:** LABtestimony  
**Cc:** ian.chanhodges@gmail.com  
**Subject:** Submitted testimony for HB214 on Feb 14, 2017 08:30AM

**HB214**

Submitted on: 2/13/2017

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>
Ian Chan Hodges	Individual	Comments Only	Yes

Comments: My name is Ian Chan Hodges and I want to thank you for this opportunity to testify. The most innovative economies in world have paid family leave as an important part of their public policy. Hawaii needs to move forward on implementing paid family leave now.

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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HB 214

Late Testimony



**LATE**

February 14, 2017

**LATE**

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

From: Jeanne Y. Ohta, Co-Chair

**LATE**

RE: HB 214 Relating to Paid Family Leave  
Hearing: Tuesday, February 15, 2017, 8:30 a.m., Room 229

POSITION: Comments

While we support the intent of this measure to provide paid family leave, this measure falls short of what is truly needed. We prefer a more comprehensive measure that would provide paid family leave for a broader range of workers.

The Hawai'i State Democratic Women's Caucus is a catalyst for progressive, social, economic, and political change through action on critical issues facing Hawaii's women and girls.

We ask the committee to consider measures that would provide paid family leave for the broadest range of employees as possible. We thank the committee for the opportunity to provide testimony.



February 13, 2017

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

**LATE LATE**

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

**LATE**

Re: **HB 214- Relating to Paid Family Leave**  
**Hawaii State Capitol, Room 309, February 14, 2017, 8:30 AM**

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**On behalf of Hawaii Children's Action Network (HCAN), we are writing to provide COMMENTS on HB 214- Relating to Public Employment.**

Although HCAN supports Paid Family Leave, we feel it needs to be part of a comprehensive package for all workers. **We strongly recommend the committee adopt the language in HB 1362**

Specific objections to this bill

1. Amount of time – this bill currently provides for 4 weeks, yet it should provide at least 12 weeks – this has become the national standard for a minimum amount of time to care for a new baby or sick family member.
2. Only full-time employees – this benefit should be provided for all levels of employees based on time in service and amount of time worked.

This current bill 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 workers 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
- Wage Replacement – Many families live paycheck to paycheck and would never be able to take time off if not receiving their full wages
- 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 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 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>.



healthy  
mothers

healthy  
babies

COALITION  
OF HAWAII

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

**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. 214: Paid Family Leave**

**LATE**

**LATE**

**LATE**

Thank you for this opportunity for **Healthy Mothers Healthy Babies Coalition of Hawaii to offer comments in regard to H.B. 214**. H.B. 214 would allow for four weeks paid family leave for state employees.

While good in theory, if we are to ever implement a paid family leave (PFL) policy for ALL workers, and state workers are secluded from paying into the fund, the program would be prohibitively expensive to run and likely not financially solvent. There would be substantially less motivation to pass a universally-funded PFL program if workers in the private sector would bear the majority of the costs.

H.B. 214 would only cover maternity and paternity leave – failing to include time off to take care of a sick child. Also, the structure of the bill provides PFL as a benefit to workers, not an insurance program. This system would cost the state more money.

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. 214 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.**

310 Paoakalani Ave., Suite 202A, Honolulu, Hawaii 96815  
(808) 737-5805 [lisak@hmhb-hawaii.org](mailto:lisak@hmhb-hawaii.org) [www.hmhb-hawaii.org](http://www.hmhb-hawaii.org)

**LATE**

**LATE**

**LATE**

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 14, 2017 7:47 AM  
**To:** LABtestimony  
**Cc:** beckypgardner@gmail.com  
**Subject:** Submitted testimony for HB214 on Feb 14, 2017 08:30AM

**HB214**

Submitted on: 2/14/2017

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>
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 state 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**

**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

**LATE**

**LATE**

**Comments on HB 214 that provides for four weeks of paid family leave for full-time State employees.**

Aloha Chair Johanson, Vice Chair Holt

**This bill is good as far as it goes but since it applies only to state employees it excludes large numbers of Hawaii's working families.**

**The Coalition prefers** the more comprehensive HB1434 to this bill and in addition supports the position of the Hawaii State Commission on the Status of Women with regard to comprehensive paid family leave. Which is:

The provisions of HB 1434 bill go far to protect women, men and their families in the work place. "It would set a standard practice for allowing sick and safe leave for workers at establishments of 25 or more employees. Additionally, it would enable victims of domestic violence, sexual assault or stalking to participate in legal proceedings, receive medical treatment or counseling, or obtain other critical services, without fear that they may lose their job. A minimum of paid sick and/or safe leave would also allow victims to maintain some sense of safety and independence, without fear of retribution for asking for time off.

However, The Commission (and the Coalition) **do not support an employee carve out**, which only applies to employers with 25 or more employees. This excludes a large number of employees in Hawaii and prevents them from earning paid sick leave.

HB 1434 bill also excludes "day or temporary" workers who work less than 20 hours per week at a job. This would exclude a large number of non-food establishment service workers who still interact regularly with the public and still have a need for a minimum amount of paid sick leave. Compounding this problem: many low income women work multiple minimum wage part time jobs just to stay financially afloat. This exclusion would prevent certain female service workers from earning paid sick leave, even though they may be working more than 40 hours a week at various different service positions.

The Commission commends the language allowing eligible employees to take paid sick leave for a child and/or for activities relating to their status as a **victim of family violence**. This language enables victims of violence to participate in legal proceedings, receive medical treatment, counseling, or obtain other critical services. **However, the bill only allows an employee to take leave for a child or spouse, which is not consistent with the leave permitted under our Hawaii Family Leave Law.** Adding parent and grandparent would enable employees at establishments of over 100 employees to take their paid sick leave during their HFLL protected time (i.e. they would be able to take family leave and get paid).

Finally, the Commission suggests adding an **anti-retaliation** provision to this bill's language. This would protect employees who are threatened or retaliated against for requesting to use their paid sick leave under the law."

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**

holt1 - Joyleanne

From: Angelina Mercado <bqhzjanryxnbxhq@ujoin.co>  
Sent: Monday, February 13, 2017 3:45 PM  
To: LABtestimony  
Subject: Paid Family Leave for all of Hawaii's Families

**From:** angelraybpc@gmail.com

**Message:**

Dear Legislator –

This year a number of bills have been introduced at the legislature on Paid Family Leave and yet none of them are providing the important provisions needed for families.

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 U.S. workers had access to paid family leave through their employers in 2014. Women are often disproportionately affected. 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.

I am an advocate with Hawaii Children's Action Network (HCAN). We believe that families and the community will benefit from paid family leave by creating strong families with secure jobs.

To do that, we encourage you to support bills that have more similar language to HB1362/SB408, which includes:

- Provide universal coverage – all people and employers would participate in the system
- At least 12 weeks – this provides an adequate amount of time to bond and for the family to adjust to a new way of life
- Job Protection – if a person is not guaranteed a job upon completion of the leave, they likely will not take the leave
- Gender Equity – both mothers and fathers need the opportunity to bond with new children, it is not just “maternity 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
- Wage Replacement – Many families live paycheck to paycheck and would never be able to take time off if unpaid or only a small percentage of their usual wages.

By creating a comprehensive Paid Family Leave bill, all families and the community will benefit.

**Angelina Mercado**

Director of Advancement

Honolulu

Hawaii



**LATE**

**LATE**

holt1 - Joyleanne

From: Anthony Lenzer <tlenzer@hawaii.rr.com>  
Sent: Sunday, February 12, 2017 3:27 PM  
To: LABtestimony  
Subject: Testimony re HB 214, HB 683, and HB 213

**LATE**

To: Rep. Aaron Ling Johanson, Chair  
Rep. Daniel Holt, Vice Chair  
Committee on Labor and Public Employment

From: Anthony Lenzer, PhD

RE: HB 214 RELATING TO PAID FAMILY LEAVE

Hawaii State Capitol, Room 309; 2/14/17 8:30am

On behalf of the Policy Advisory Board for Elder Affairs (PABEA) I am writing to offer comments on HB214, as well as HB 683 and HB 213, all related to Paid Family Leave. PABEA is an advisory body to the Executive Office on Aging (EOA) re issues related to aging, and serves as an advocate for Hawaii's Kupuna and their families. PABEA's views do not necessarily reflect those of the EOA.

We strongly support enactment of a Hawaii Paid Family Leave law, but have concerns about these measures as written.

**We recommend that the Committee consider the stronger and more comprehensive policy described in HB1362.**

It is time for Hawaii 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, and also provide care to family members when they need it most.

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, and more gender equity in child care and caregiving. Businesses report little negative consequences after the law was enacted, and laws such as this do not impose additional financial burdens on 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.

**Ideally, Legislative Proposals 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 Hawaii's cultural views of the term "family."

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 testify on this important subject.

**LATE**

**LATE**

holt1 - Joyleanne

From: David Okumura <byeswjifetsetgp@ujoin.co>  
Sent: Monday, February 13, 2017 3:56 PM  
To: LABtestimony  
Subject: Paid Family Leave for all of Hawaii's Families

**LATE**

**From:** aoxomoxoa@mailbolt.com

**Message:**

Dear Legislator –

This year a number of bills have been introduced at the legislature on Paid Family Leave and yet none of them are providing the important provisions needed for families.

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 U.S. workers had access to paid family leave through their employers in 2014. Women are often disproportionately affected. 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.

I am an advocate with Hawaii Children's Action Network (HCAN). We believe that families and the community will benefit from paid family leave by creating strong families with secure jobs.

To do that, we encourage you to support bills that have more similar language to HB1362/SB408, which includes:

- Provide universal coverage – all people and employers would participate in the system
- At least 12 weeks – this provides an adequate amount of time to bond and for the family to adjust to a new way of life
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- Gender Equity – both mothers and fathers need the opportunity to bond with new children, it is not just “maternity 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
- Wage Replacement – Many families live paycheck to paycheck and would never be able to take time off if unpaid or only a small percentage of their usual wages.

By creating a comprehensive Paid Family Leave bill, all families and the community will benefit.

David Okumura

AD

Kailua-Kona

Hawaii

**LATE**

**LATE**

holt1 - Joyleanne

From: Melissa Smith Zaninovich <hidfdmdayrebegu@ujoin.co>  
Sent: Tuesday, February 14, 2017 8:13 AM  
To: LABtestimony  
Subject: Paid Family Leave for all of Hawaii's Families

**LATE**

**From:** missymis7@hawaiiantel.net

**Message:**

I am a grandmother and have worked over 20 years as an RN (Pediatric Nurse at Queen' Medical Center) and now a student of Early Childhood Education. It is appalling to me that our state's most-valuable asset, our children, are not given a higher priority. I believe this begins with protecting and nurturing the family unit, so that children get a good start in life. It will be repaid in the future with grown-ups who are productive and who work with purpose to better the world they live in. Paid Family Leave moves in that direction and would certainly enable parents to concentrate on their new child, without threat of economic depravity, and risk of job loss. Anyone who has had a baby understands that this is a time of great adjustment and "figuring it all out". Parents don't need the added stress. They need our support!

Dear Legislator –

This year a number of bills have been introduced at the legislature on Paid Family Leave and yet none of them are providing the important provisions needed for families.

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 U.S. workers had access to paid family leave through their employers in 2014. Women are often disproportionately affected. 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.

I am an advocate with Hawaii Children's Action Network (HCAN). We believe that families and the community will benefit from paid family leave by creating strong families with secure jobs.

To do that, we encourage you to support bills that have more similar language to HB1362/SB408, which includes:

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- Wage Replacement – Many families live paycheck to paycheck and would never be able to take time off if unpaid or only a small percentage of their usual wages.

By creating a comprehensive Paid Family Leave bill, all families and the community will benefit.

**Melissa Smith Zaninovich**

**Kailua**

**Hawaii**

**LATE**

**LATE**

**LATE**

holt1 - Joyleanne

From: Michael Fahey <issueaxbgqesmigf@ujoin.co>  
Sent: Monday, February 13, 2017 3:49 PM  
To: LABtestimony  
Subject: Paid Family Leave for all of Hawaii's Families

**From:** ihilanisf@aol.com

**Message:**

**Families need to be strengthened in our society and supporting this bill is one way lawmakers can do that!**

Dear Legislator –

This year a number of bills have been introduced at the legislature on Paid Family Leave and yet none of them are providing the important provisions needed for families.

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 U.S. workers had access to paid family leave through their employers in 2014. Women are often disproportionately affected. 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.

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By creating a comprehensive Paid Family Leave bill, all families and the community will benefit.

Michael Fahey

Senior Community Engagement Specialist

Mililani

Hawaii

**LATE**

**LATE**

**LATE**

holt1 - Joyleanne

From: Nicole Woo <cqvipbmkoabcdtp@ujoin.co>  
Sent: Monday, February 13, 2017 3:48 PM  
To: LABtestimony  
Subject: Paid Family Leave for all of Hawaii's Families

**From:** nicole@hiappleseed.org

**Message:**

testifying for the Hawai'i Appleseed Center for Law & Economic Justice

Dear Legislator –

This year a number of bills have been introduced at the legislature on Paid Family Leave and yet none of them are providing the important provisions needed for families.

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 U.S. workers had access to paid family leave through their employers in 2014. Women are often disproportionately affected. 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.

I am an advocate with Hawaii Children's Action Network (HCAN). We believe that families and the community will benefit from paid family leave by creating strong families with secure jobs.

To do that, we encourage you to support bills that have more similar language to HB1362/SB408, which includes:

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By creating a comprehensive Paid Family Leave bill, all families and the community will benefit.



Nicole Woo

Honolulu

Hawaii

**LATE**

**LATE**

**LATE**

holt1 - Joyleanne

From: Oreta Tupola <mlbfuhcqdtupkoh@ujoin.co>  
Sent: Monday, February 13, 2017 7:32 PM  
To: LABtestimony  
Subject: Paid Family Leave for all of Hawaii's Families

**From:** otupola@gmail.com

**Message:**

Dear Legislator –

This year a number of bills have been introduced at the legislature on Paid Family Leave and yet none of them are providing the important provisions needed for families.

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.

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I am an advocate with Hawaii Children's Action Network (HCAN). We believe that families and the community will benefit from paid family leave by creating strong families with secure jobs.

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**Oreta Tupola**

LAIE

Hawaii

**LATE**

**LATE**

**LATE**

holt1 - Joyleanne

From: Ravandolyn Galvin <akolgznzbhvhvhnz@ujoin.co>  
Sent: Monday, February 13, 2017 4:16 PM  
To: LABtestimony  
Subject: Paid Family Leave for all of Hawaii's Families

**From:** ravandolyngalvin@gmail.com

**Message:**

**We truly need to get on one accord and be considerate.**

Dear Legislator –

This year a number of bills have been introduced at the legislature on Paid Family Leave and yet none of them are providing the important provisions needed for families.

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.

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I am an advocate with Hawaii Children's Action Network (HCAN). We believe that families and the community will benefit from paid family leave by creating strong families with secure jobs.

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By creating a comprehensive Paid Family Leave bill, all families and the community will benefit.

Ravandolyn Galvin

Honolulu

Hawaii

**LATE**

**LATE**

**LATE**

From: Tracy Bein <vryuidwhfmlfpbh@ujoin.co>  
Sent: Monday, February 13, 2017 3:54 PM  
To: LABtestimony  
Subject: Paid Family Leave for all of Hawaii's Families

**From:** ruggiero\_2@hotmail.com

**Message:**

Dear Legislator –

This year a number of bills have been introduced at the legislature on Paid Family Leave and yet none of them are providing the important provisions needed for families.

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.

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**Tracy Bein**

Behavior Analyst

Kihei

Hawaii

**LATE**

**LATE**

**LATE**

From: Ashley Dumlao <fprwnljlptqwhz@ujoin.co>  
Sent: Wednesday, February 15, 2017 8:05 AM  
To: LABtestimony  
Subject: Paid Family Leave for all of Hawaii's Families

**From:** ashley.dumlao@gmail.com

**Message:**

I've worked for small companies before and have had to go on maternity leaves and was never guaranteed my position when I returned. I've had to save up my vacation pay to cover some of the weeks I had taken. I've also returned back to work only two weeks after giving birth due to not having enough money to support my family.

Dear Legislator –

This year a number of bills have been introduced at the legislature on Paid Family Leave and yet none of them are providing the important provisions needed for families.

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 U.S. workers had access to paid family leave through their employers in 2014. Women are often disproportionately affected. 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.

I am an advocate with Hawaii Children's Action Network (HCAN). We believe that families and the community will benefit from paid family leave by creating strong families with secure jobs.

To do that, we encourage you to support bills that have more similar language to HB1362/SB408, which includes:

- Provide universal coverage – all people and employers would participate in the system
- At least 12 weeks – this provides an adequate amount of time to bond and for the family to adjust to a new way of life
- Job Protection – if a person is not guaranteed a job upon completion of the leave, they likely will not take the leave
- Gender Equity – both mothers and fathers need the opportunity to bond with new children, it is not just “maternity 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
- Wage Replacement – Many families live paycheck to paycheck and would never be able to take time off if unpaid or only a small percentage of their usual wages.



By creating a comprehensive Paid Family Leave bill, all families and the community will benefit.

Ashley Dumlao

Waimanalo

Hawaii

**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.

**LATE**

**LATE**

**LATE**

holt1 - Joyleanne

From: Melissa Anne Wong <myjbcqlnqcgqlfh@ujoin.co>  
Sent: Saturday, February 18, 2017 3:49 PM  
To: LABtestimony  
Subject: Paid Family Leave for all of Hawaii's Families

**LATE**

**From:** dakawaii1@gmail.com

**Message:**

Dear Legislator –

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**Melissa Anne Wong**

Kaneohe

Hawaii