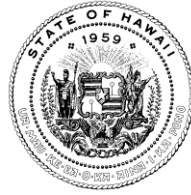


DAVID Y. IGE
GOVERNOR

DOUGLAS S. CHIN
LIEUTENANT GOVERNOR



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February 5, 2018

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

Date: Tuesday, February 6, 2018
Time: 8:30 a.m.
Place: Conference Room 309, State Capitol

From: Leonard Hoshijo, Acting Director
Department of Labor and Industrial Relations (DLIR)

Re: H.B. No. 2200 RELATING TO PUBLIC SAFETY

DLIR has serious concerns with the measure as an employer could use the temporary restraining order as a tool to circumvent an enforcement investigation. As defined, an investigator could qualify as an "Invitee" and the role of the investigator could be considered "harassment". If an investigator questioned an employee as to working hours, method of salary payments, benefits offered, etc. to identify if an employer is in compliance with labor laws, the employer could obtain a temporary restraining order against the investigator. While a temporary restraining order could be lifted, there would be a chilling effect or critical time in the investigation could be lost. The unintended consequences are the investigation would be frustrated and the Department would be unable to ascertain if the employer is in compliance with labor laws.

DLIR suggests that if the concern pertains to domestic or sexual violence, then the measure should reflect so.



Chamber of Commerce HAWAII
The Voice of Business

**Testimony to the House Committee on Labor & Public Employment
Tuesday, February 6, 2018 at 8:30 A.M.
Conference Room 309, State Capitol**

RE: HOUSE BILL 2200 RELATING TO PUBLIC SAFETY

Chair Tokuda, Vice Chair English, and Members of the Committee:

The Chamber of Commerce Hawaii ("The Chamber") **supports** HB 2200, which allows an employer to seek a temporary restraining order and injunction against further harassment of an employee or invitee who may be harassed in connection with a worksite.

The Chamber is Hawaii's leading statewide business advocacy organization, representing about 2,000+ businesses. Approximately 80% of our members are small businesses with less than 20 employees. As the "Voice of Business" in Hawaii, the organization works on behalf of members and the entire business community to improve the state's economic climate and to foster positive action on issues of common concern.

We support the effort and ability of the employer to maintain safe working environments for their employees. Incidents of harassment at an employee's workplace not create a safety issue but may also increase the risk of incidents with other employees and individuals. Passage of this bill will allow employers to prevent further harassment of employees and maintain a safe workplace for employees and their customers.

Thank you for the opportunity to testify.

HB 2200

**LATE
TESTIMONY**

LATE



**TESTIMONY OF TINA YAMAKI
PRESIDENT
RETAIL MERCHANTS OF HAWAII
February 6, 2018**

Re: HB 2200 Relating to Public Safety

Good morning Chairperson Johanson and members of the House Committee on Labor and Public Employment. I am Tina Yamaki, President of the Retail Merchants of Hawaii and I appreciate this opportunity to testify.

The Retail Merchants of Hawaii (RMH) is a statewide not-for-profit trade organization committed to supporting the retail industry and business in general in Hawaii. The retail industry is one of the largest employers in the state, employing 25% of the labor force.

The Retail Merchants of Hawaii SUPPORTS HB 2200 Relating to Public Safety. In the news we hear about workplace violence where workers who been attacked, stalked, threatened, or killed. Retailers continue to be concerned about the safety and wellbeing of not only the employees but our customers and the community as well, especially since brick and mortar stores and shopping centers are open to the public. This bill would be a step in the right direction of combatting work place violence. Employers would be allowed to seek a temporary restraining order and injunction against further harassment of an employee or invitee who may be harassed at store or shopping center.

Mahalo for this opportunity to testify.



Randy Perreira
President

HAWAII STATE AFL-CIO

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LATE

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

Testimony by
Hawaii State AFL-CIO

February 6, 2018

H.B. 2200 – RELATING TO
PUBLIC SAFETY

The Hawaii State AFL-CIO opposes H.B. 2200 as drafted which allows an employer to seek a temporary restraining order and injunction against further harassment of an employee or invitee who may be harassed at the employer's premises or worksite.

The Hawaii State AFL-CIO has concerns that employees who legally exercise their rights to organize or seek evidence that an employer may be violating certain labor laws could be issued a Temporary Restraining Order (TRO). In addition, employees may not be the only ones issued TRO's. Government worksite investigators and union organizers are among others who could potentially be faced with attempts to be restrained by a TRO for simply doing their job and dealing with a hostile employer. We feel the bill as drafted does not go far enough to ensure individuals including the workers mentioned above are adequately protected and respectfully request H.B. 2200 be deferred, or amended to create such protections.

Thank you for the opportunity to testify.

Respectfully submitted,

Randy Perreira
President



Testimony to the
House Committee on Labor & Public Employment
February 6, 2018
8:30 am
State Capitol - Conference Room 309

LATE

RE: HB 2200 Relating to Public Safety

Aloha Chair Johanson, Vice Chair Holt and members of the committee:

On behalf of the Society for Human Resource Management – Hawaii Chapter (“SHRM Hawaii”), we are writing in support of HB 2200, relating to public safety. This bill is an important step toward contributing to workplace safety.

Human resource management professionals are responsible for the alignment of employees and employers to achieve organizational goals. HR professionals seek to balance the interests of employers and employees with the understanding that the success of each is mutually dependent. SHRM Hawaii represents more than 800 human resource professionals in the State of Hawaii. We look forward to contributing positively to the development of sound public policy and continuing to serve as a resource to the legislature on matters related to labor and employment laws.

Mahalo for the opportunity to testify.

