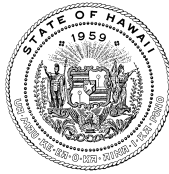


DAVID Y. IGE
GOVERNOR



LAUREL A. JOHNSTON
DIRECTOR

KEN N. KITAMURA
ACTING DEPUTY DIRECTOR

EMPLOYEES' RETIREMENT SYSTEM
HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND
OFFICE OF THE PUBLIC DEFENDER

**STATE OF HAWAII
DEPARTMENT OF BUDGET AND FINANCE**

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ADMINISTRATIVE AND RESEARCH OFFICE
BUDGET, PROGRAM PLANNING AND
MANAGEMENT DIVISION
FINANCIAL ADMINISTRATION DIVISION
OFFICE OF FEDERAL AWARDS MANAGEMENT (OFAM)

WRITTEN ONLY

TESTIMONY BY LAUREL A. JOHNSTON
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE
TO THE SENATE COMMITTEE ON WAYS AND MEANS
ON
SENATE BILL NO. 2990, S.D. 1

**February 28, 2018
10:45 a.m.
Room 211**

RELATING TO FAMILY LEAVE

Senate Bill No. 2990, S.D. 1, proposes to implement a paid family leave system in the State and establish a paid family leave special fund which shall be administered by the Department of Labor and Industrial Relations (DLIR). The measure states that by January 1, 2020, DLIR shall adopt rules, which shall be exempt from Chapter 91, HRS, that establish and codify paid leave for all works in the State. The bill is scheduled to take effect upon its approval, provided that select sections shall take effect July 1, 2018.

Because of the impact to employers and employees in the State, the Department of Budget and Finance (B&F) strongly recommends before any statutory measure is enacted that the State have a clear understanding of the issues and costs related to implementing a mandated paid leave system. This measure states the Legislative Reference Bureau shall conduct an analysis, prior to 2019, including an actuarial analysis, on select items addressed in the bill. B&F strongly urges the Legislature to have the Legislative Reference Bureau complete a thorough study on the paid family leave system proposed in this bill to identify issues and costs before the program is implemented.

Thank you for your consideration of our comments.



**STATE OF HAWAII
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS**

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February 28, 2018

To: The Honorable Donovan M. Dela Cruz, Chair,
The Honorable Gilbert S.C. Keith-Agaran, Vice-Chair, and
Members of the Senate Committee on Ways and Means

Date: Wednesday, February 28, 2018

Time: 10:45 a.m.

Place: Conference Room 211, State Capitol

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

Re: S.B. 2990 SD1 RELATING TO FAMILY LEAVE

I. OVERVIEW OF PROPOSED LEGISLATION

This proposal amends Chapter 398, Hawaii Revised Statutes (HRS), by establishing the paid family leave special fund. An appropriation of \$1.75 million to the special fund will fund the implementation board as well as a Legislative Reference Bureau actuarial analysis.

Employee payroll deductions and employer contributions would go into the fund to pay for permanent and temporary staff positions, administration, and operational costs to establish paid family leave for all workers in the State.

The bill requires DLIR to adopt rules, exempt from Chapter 91, to establish and codify paid family leave for all workers in the state by January 1, 2020, and allows DLIR to adopt interim rules exempt from Chapter 91.

The measure establishes a paid family leave implementation board within DLIR for administrative purposes, to assist the Department in establishing paid family leave for all workers in the State and to develop an analysis and implementation plan.

DLIR supports the intent of this proposal to provide access to paid family leave and offers comments, including concerns about adequate resources this complex and important venture.

II. CURRENT LAW

HFLL provides four weeks of protected, unpaid leave for employees of employers with 100 or more employees, on the birth or adoption of a child or to care for the employee's child, spouse, reciprocal beneficiary, sibling, or parent with a serious health condition.

Hawaii currently has an existing medical leave law, the Temporary Disability Insurance law (TDI), chapter 392, Hawaii Revised Statutes. The TDI law provides partial wage replacement for an eligible employee's own disability. TDI coverage and benefit payments are primarily processed through private insurance companies and employer self-insurance sick leave policies. Therefore, no employee/employer tax collection infrastructure exists for this program.

III. COMMENTS ON THE SENATE BILL

DLIR supports the intent and appreciates that this measure recognizes the complicated nature of the request to implement a paid family leave law by creating the paid family leave implementation board. The Department has established dialogue with other states with paid family leave laws to understand how the other states implemented their programs.

A mandate to cover all workers (and their employers) in the State may be premature, and preclude the implementation board from considering costs and benefits in its deliberations. Which workers, of which establishments, vary among the other states.

An implementation board would likely develop appropriation request(s) for the Legislature.

The request to report back to the 2019 Legislature may be ambitious considering hiring a program manager to support the implementation of the board. It is likely that establishing the position, recruiting and filling may take up to six months, or about the time the first report is due. The Legislative Reference Bureau may also have difficulty completing the requested analyses. Similarly, implementing a program by January 1, 2020, considering other states' experiences who had existing infrastructure to work from or substantial resources, may prove quite challenging.

DLIR is unsure of what would constitute an adequate appropriation for FY2018-2019, however, to implement a paid family leave program with the assistance of the implementation board may require significant appropriation amounts depending on the range of various methods potentially suggested by the board. Washington State's program, which is a social insurance model and being developed from the ground up, is being implemented with an \$82 million general fund loan, has twenty-five staff, plans to increase to fifty soon, and projects a total of 150 staff to run the program

eventually.

DLIR obtained an estimate of \$25-\$30 million for the IT portion of the project from a local vendor to develop the required hardware and software over an initial five-year period. Washington projects spending between \$30 - \$50 million to develop its IT infrastructure over eight years, intending it for use across multiple programs.

When the Legislature considered adopting major workers' compensation reform or the adoption of TDI or Prepaid Healthcare Laws, it has instructed the Legislative Reference Bureau to commission study, including a detailed actuarial component, before enacting those labor benefits and protections that form part of the bedrock of Hawaii's labor protections.¹ Therefore, the Department is appreciative that the measure contains a provision for the Legislative Reference bureau to do a study that includes an actuarial analysis.

However, the \$250,000 may be insufficient as actuarial analyses are often quite costly. Act 188 (SLH, 2015) required the State Auditor to contract with an actuarial firm that has experience conducting workers' compensation closed claims studies in the United State to perform a study of the closed claims in the state's workers' compensation system. However, the \$150,000 was insufficient to procure an actuarial firm.

DLIR suggests that the Legislative Reference Bureau also consider appropriate statutory placement for a paid family leave program.

Lastly, DLIR offers the following technical notes:

1. Page 4, section 3(b)(2), line 4 should state "coverage for all employers who employ," instead of "coverage for all employees who employ."
2. Page 3, section 3(a), allows DLIR to adopt rules. Lines 19-20 state "which shall be exempt from chapter 91." Page 4, section 3(d), also allows DLIR to adopt interim rules exempt from chapter 91. However, lines 17-18 state that the interim rules shall "remain in effect until January 1, 2022, or until rules are adopted pursuant to subsection (a), whichever occurs sooner." DLIR notes, that as currently written, both the rules and interim rules are exempted from chapter 91, HRS.
3. Section 3(b)(3) relates to progressive wage replacement for low income workers. Page 4, line 8 states "average high-wage workers." DLIR notes the intent may have been to state "average or high-wage workers."

¹ <http://lrbhawaii.info/lrbreports/63/63workcomp.pdf>

<http://lrbhawaii.info/lrbreports/67/tdi.pdf>

<http://lrbhawaii.info/lrbreports/67/prepaid.pdf>



STATE OF HAWAII
DEPARTMENT OF HUMAN SERVICES
P. O. Box 339
Honolulu, Hawaii 96809-0339

February 26, 2018

TO: The Honorable Senator Donovan Dela Cruz, Chair
Senate Committee on Ways and Means

FROM: Pankaj Bhanot, Director

SUBJECT: **SB 2990 SD1 – RELATING TO FAMILY LEAVE**

Hearing: Wednesday, February 28, 2018, 10:45 a.m.
Conference Room 211, State Capitol

DEPARTMENT'S POSITION: The Department of Human Services (DHS) supports establishing and implementing a robust family leave insurance program for all employees in Hawaii, so long as the priorities outlined in the administration's budget are not adversely affected.

PURPOSE: The purpose of the bill is to establish a paid family leave program within the Department of Labor and Industrial Relations (DLIR); lay the groundwork to implement a paid family leave framework of laws and policies; establish a paid family leave implementation board.

In 2016, DHS, through the Hawaii State Commission on the Status of Women (HSCSW), received a competitive grant from the United States Department of Labor (US DOL). The US DOL Paid Leave Analysis grant program was intended to support research and analysis needed to explore, develop, implement, and/or improve paid family and medical leave programs at the State and municipal levels. Through this grant, the HSCSW completed research in the following categories: economic analysis, eligibility, and benefit modeling; a feasibility and implementation study to carefully examine how a paid leave program could be successfully implemented on the state level; public polling of Hawaii

residents; focus groups of mothers, fathers, family caregivers, unions, small businesses, and large businesses. The research was completed in September 2017 and provides a wealth of data on how successful and financially solvent paid leave programs can be implemented, using Hawaii-specific data and employee information.

SB 2990 SD1 provides for another study on paid leave, to be conducted by the Legislative Reference Bureau. DHS appreciates the need for sound data, but points out that all underlying research necessary to implement paid family leave has already been conducted. Additionally, all of the research components listed in proposed SD1 have already been completed with the aforementioned US DOL funded research.

Currently, 42% of employees in Hawaii's private sector lack access to even a single day of paid leave. Low wage workers are the least likely to have access to family leave, and hence, are more likely to miss out on critical time with newborns during their first weeks of life. DHS works with the most vulnerable and marginalized populations in our state and we have a vested interest in ensuring individuals are healthy, thriving, and economically secure.

DHS has undertaken a multi-generational approach through its implementation of 'Ohana Nui, recognizing that Hawaii has the highest percentage of multi-generational households, the highest cost of housing, one of the highest costs of living, and the fastest growing population of individuals aged 65 and older. Our economy is reliant on a female and older workforce, precipitating a need to ensure our work place policies are reflective of this demographic. Paid family leave is associated with better health outcomes for children and mothers; an increase in children receiving well-baby check ups and vaccinations; increased bonding with children; and an increase in elderly individuals being able to age in place with family caregiver support.

In 2008, Act 143 required the Joint Legislative Committee on Aging in Place to explore the provision of wage replacement benefits to employees who needed to take time off from work to care for a family member with a serious health condition. Subsequently, the Family Leave Working Group was established as part of the Joint Legislative Committee on Aging to explore wage replacement benefits. This working group endorsed the establishment of a state sponsored long-term care insurance program through employee

payroll deductions, similar to a social insurance program. The wealth of data on existing paid family leave programs reveal paid family leave programs function more effectively as social insurance programs. Privatization of such a program risks harming the program's integrity and fiscal solvency.

Thank you for the opportunity to provide supportive comments on this measure.

Charlotte A. Carter-Yamauchi
Director

Shawn K. Nakama
First Assistant

Research (808) 587-0666
Revisor (808) 587-0670
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LEGISLATIVE REFERENCE BUREAU
State of Hawaii
State Capitol, Room 446
415 S. Beretania Street
Honolulu, Hawaii 96813

Written Comments

SB2990, SD1 RELATING TO FAMILY LEAVE

Charlotte A. Carter-Yamauchi, Director
Legislative Reference Bureau

Presented to the Senate Committee on Ways and Means

Wednesday, February 28, 2018, 10:45 a.m.
Conference Room 211

Chair Dela Cruz and Members of the Committee:

Good morning Chair Dela Cruz and members of the Committee, my name is Charlotte Carter-Yamauchi and I am the Director of the Legislative Reference Bureau. Thank you for providing the opportunity to submit written comments on S.B. No. 2990, S.D. 1, Relating to Family Leave.

The purpose of this measure is to:

- (1) Require the Department of Labor and Industrial Relations to establish rules, by no later than January 1, 2020, that implement paid family leave coverage for all workers that includes an unspecified minimum number of weeks of paid leave for employees, a system of progressive wage replacement, and job protection to ensure utilization of paid family leave does not adversely affect employment;
- (2) Establish a Paid Family Leave Implementation Board to develop an analysis and implementation plan for providing workers with family leave insurance benefits during times when a worker is required to take leave to care for a family member;
- (3) Require all executive branch departments and agencies to assist with data collection and sharing to facilitate the paid leave program; and

- (4) Establish a Paid Family Leave Special Fund to carry out the purposes of this measure;
- (5) Require the Legislative Reference Bureau to conduct a study, that includes an actuarial analysis of items included in the Paid Family Leave Implementation Board's study, to be submitted to the Legislature not later than twenty days prior to the convening of the 2019 Regular Session;
- (6) Require that the Board's report and Bureau's study include a multi-year budget, for establishing a paid family leave insurance program and include a review of other state leave and Temporary Disability Insurance models and review of Temporary Disability Insurance usage;
- (7) Appropriate \$1,500,000 for fiscal year 2018-2019 from the general fund for deposit into the Paid Family Leave Special Fund;
- (8) Appropriate \$1,500,000 for fiscal year 2018-2019 from the Paid Family Leave Special Fund for one full-time program manager to support the Task Force and the Department of Labor and Industrial Relations in establishing paid family leave for all workers by January 1, 2023, and to contract, exempt from Chapter 103D, Hawaii Revised Statutes, a consultant to assist the Department of Labor and Industrial Relations; and
- (9) Appropriate \$250,000 for fiscal year 2018-2019 for the Legislative Reference Bureau to conduct the study and actuarial analysis and authorize Bureau to contract for services, exempt from Chapter 103D, Hawaii Revised Statutes, to complete the study.

The Bureau takes no position on the merits of this measure, but submits the following comments for your consideration.

As a general matter, we note that the Paid Family Leave Implementation Board established in this measure contains very few members of the Legislature relative to the overall membership of the Board, and will be administratively attached to the Department of Labor and Industrial Relations, an executive branch agency. The Bureau is statutorily directed to use its resources and services to assist the Legislature and its members, unless otherwise directed by the Legislature.

Accordingly, we have some concerns with how the measure is currently drafted with respect to the work requested of the Bureau. The language of the measure requires the Bureau to not only conduct a study, but also perform the following:

- (1) A comparative analysis of potential paid family leave models to cover all workers, including but not limited to social insurance and temporary disability insurance expansion, and including a breakdown of the costs for implementing and sustaining each model;
- (2) An analysis of models that consider progressive wage replacement and job protection;
- (3) An analysis of a multi-year budget for establishing a paid family leave insurance program;
- (4) An analysis of a timeline for implementing paid family leave, including benchmarks and deliverables;
- (5) A review of other state paid leave models, including review of current temporary disability insurance usage and other state temporary disability insurance models;
- (6) Findings and other recommendations, including recommendations for ongoing regulation and additional funding resources; and
- (7) An actuarial analysis,

all by no later than twenty days prior to the convening of the 2019 Regular Session.

First, the Bureau does not believe that it can complete this task in the time allotted. The Bureau does not employ an actuary, nor has it contracted the services of one in at least the past two decades. Furthermore, the Bureau does not retain subject matter experts in the fields of social insurance, temporary disability insurance expansion, or paid family leave. Consequently, the Bureau would have to contract the services of such experts and do so by drafting a Request for Proposals on this project and executing a contract, which will probably take more than six months, and would mean that the required report and actuarial analysis would not be available for the 2019 Legislature.

In addition, it seems that the responsibilities established under the measure are divided unnecessarily between, and in some cases duplicative of those assigned to, the Paid Family Leave Implementation Board, the Department of Labor and Industrial Relations, and the Bureau. Trifurcating the duties and tasks established under the measure will most likely lead to complications in coordinating the collection and dissemination of information among parties and coming to an agreement on how to proceed with assigned tasks. Moreover, the measure has:

- (1) The Department of Labor and Industrial Relations adopting rules that establish a paid family leave program for all workers in the State that meets certain specified criteria (see page 3, line 18, to page 4, line 13);

- (2) The Bureau conducting a study on a number of specified issues that overlap with the criteria to be used by the Department of Labor and Industrial Relations (see page 7, line 15, to page 8, line 13); and
- (3) The Board developing an analysis and implementation plan to provide workers with family leave insurance benefits (see page 7, lines 7-10) and reporting to the Legislature on substantially identical issues as the Bureau within the exact same timeframe (see page 8, line 14, to page 9, line 14).

Furthermore, according to the measure, the Paid Family Leave Implementation Board and the Department of Labor and Industrial Relations will have \$1,500,000 to hire staff, contract a consultant, and defray costs associated with the implementation of the paid leave program. We also note that the Paid Family Leave Implementation Board's membership already includes representatives of executive branch agencies that do have access to actuarial services and have considerable subject matter expertise in leave programs and insurance. As such, the measure establishes a seemingly convoluted and unnecessarily complicated process to create the paid leave program.

If the Committee decides to recommend the passage of this measure and desires to keep the Bureau involved, we respectfully request that:

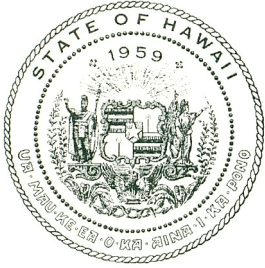
- (1) The Committee clarify the role and responsibility of the various entities involved to eliminate duplication of effort and wasted resources;
- (2) If the Committee still wants the Bureau involved in the actual conduct of the study and actuarial analysis, that we be provided not less than two years to complete the assigned task; or
- (3) If the Committee believes that the tasks established in the measure should be consolidated and executed by the Paid Family Leave Implementation Board, as the entity responsible for the study and actuarial analysis, and that the Bureau's role in this project should be limited to finalizing the Board's report and drafting proposed legislation, then the measure should be amended to specifically clarify that the Bureau assist with only the finalizing the Board's reports and drafting proposed legislation. We would also request that it be specified that the respective draft report be submitted to the Bureau no later than September 1, 2018, so that work on the report would not adversely impact our ability to provide our core services to the Legislature for the upcoming Regular Session.

If the measure is amended to address the concerns noted above, the Bureau believes that the services requested under the measure would be manageable and that the Bureau will be able to provide the services in the time allotted; provided that the Bureau's interim workload is not adversely impacted by too many other studies or additional responsibilities, such as conducting, writing, or finalizing other reports, drafting legislation, or both, for other

state agencies, task forces, or working groups that may be requested or required under other legislative measures.

Thank you again for your consideration.

HAWAI'I
STATE
COMMISSION
ON THE
STATUS
OF
WOMEN



Chair
LESLIE WILKINS

COMMISSIONERS:

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

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February 27, 2018

To: Chair Taniguchi
Vice Chair Rhoads
Members of the Senate Judiciary Committee

From: Khara Jabola-Carolus, Executive Director
Hawai'i State Commission on the Status of Women

Re: Testimony in Support of SB2990

LATE

On behalf of the Hawai'i State Commission on the Status of Women (CSW), I would like to thank the committee for hearing this measure and for the opportunity to testify in support of SB2990, which would establish a paid family leave program within the Department of Labor Relations (DLIR) and a paid family leave implementation board.

Existing federal and state leave programs in Hawai'i are unpaid and narrowly tailored, and consign working parents to economic anxiety when family members require care. While the federal Family Medical Leave Act (which leaves out 40 percent of the local workforce) allows for unpaid leave with job protection up to twelve weeks for employers with 50 or more employees, our state Hawai'i Family Leave Law only applies to those with 100 or more employees and allows for just four weeks of unpaid leave.

The Commission is also cognizant of the various pressure points on this issue: Hawai'i has the highest cost of living and the highest cost of housing in the nation. Compounding this, Hawai'i has the highest percentage of multi-generational households and the fastest growing aged-65 plus population in the nation. The current leave system effectively presents a "child-having penalty." Most families in Hawai'i cannot take unpaid leave and still maintain financial stability.

National research has shown that one of the major means to losing the gender wage gap is paid family leave. A lack of paid family leave exacerbates gender inequality by pushing women out of the workforce and onto public assistance.¹ This has cascading effects on women's economic empowerment, physical safety, health, and housing status. Societally, the outflow of women from formal work also represents a serious threat to our local economy, which is dependent on a female workforce.

Finally, the absence of paid family leave disproportionately deprives working class families of critical bonding time with newborns. This is especially true for the 25 percent of children in Hawai'i who live in single-parent households, with no full-time caregiver at home.²

A thorough study of the issues and costs related to implementing a mandated paid leave system was published by CSW and Hawai'i Children's Action in November 2017. The report supports the implementation of a progressive social insurance model for paid family leave. The Commission strongly supports SB2990 and respectfully requests that you pass this important legislation.

Mahalo,

Khara Jabola-Carolus

¹ Hawaii State Commission on the Status of Women, *Hawaii State Paid Family Leave Grant: Final Project Summary*, Nov. 2017, 4.

² *Id.*



Randy Perreira
President

HAWAII STATE AFL-CIO

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The Twenty-Ninth Legislature, State of Hawaii
Hawaii State Senate
Committee on Ways and Means

Testimony by
Hawaii State AFL-CIO

February 28, 2018

S.B. 2990, S.D.1 – RELATING TO FAMILY
LEAVE

The Hawaii State AFL-CIO strongly supports S.B. 2990, S.D.1 which requires the Department of Labor and Industrial Relations to adopt rules by 1/1/2020 that establish paid family leave for all workers, authorizes the department to adopt interim rules, establishes the paid family leave implementation board to assist the department and report to the Legislature and establishes a paid family leave special fund.

The United States is the only industrialized country on the planet that does not provide paid family leave to workers, mothers, fathers, single parents and those who desperately need it. We get to claim that distinction with Papua New Guinea – a distinction we shouldn't be proud about. It is actually an embarrassment that we have to be discussing the importance of why paid family leave matters. But we do. Fortunately, a number of states and counties are moving forward with their own paid family leave measures and hopefully Hawaii moves forward with them. States such as California, Washington, New York and others have adopted paid family leave sending a strong message to the rest of the country that they care about working families. Hawaii can do the same. Passage of S.B. 2990, S.D.1 will show we care about working families and hopefully one day help pave the way towards a nationwide paid family leave measure.

Thank you for the opportunity to testify.

Respectfully submitted,

Randy Perreira
President



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
The Senate
Committee on Ways and Means

Testimony by
Hawaii Government Employees Association

February 28, 2018

S.B. 2990, S.D. 1 – RELATING TO FAMILY LEAVE

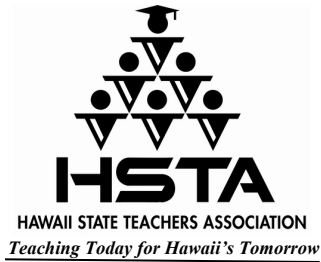
The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO supports the purpose and intent of S.B. 2990, S.D. 1 which requires the Department of Labor and Industrial Relations to establish paid family leave for all workers by 2020, establishes a Paid Family Leave Implementation Task Force, mandates the Legislative Reference Bureau to conduct an actuarial analysis, and creates a paid family leave special fund.

It is commonly accepted knowledge that most workers in Hawaii will utilize family leave at some point in their careers to provide much needed care for a loved one. While we have historically supported the passage of a paid family leave program and recognize that it is long overdue, we must prioritize a thoughtful and systematic approach in the program's creation and implementation. No two state paid family leave models are identical and we must collectively consider existing structures and systems to best formulate a plan for Hawaii. The creation of a Paid Family Leave Implementation Task Force, as outlined in the S.D. 1 of S.B. 2990, offers a steadfast solution that ensures all of the stakeholders have a seat at the table to consider the intricacies and long term effects, while at the same time sets firm deadlines to guarantee that the paid family leave program is created no later than 2020.

Thank you for the opportunity to testify in strong support of S.B. 2990, S.D. 1.

Respectfully submitted,

Randy Perreira
Executive Director



1200 Ala Kapuna Street ♦ Honolulu, Hawaii 96819
Tel: (808) 833-2711 ♦ Fax: (808) 839-7106 ♦ Web: www.hsta.org

Corey Rosenlee
President

Justin Hughey
Vice President

Amy Perruso
Secretary-Treasurer

Wilbert Holck
Executive Director

TESTIMONY BEFORE THE SENATE COMMITTEE ON
WAYS AND MEANS

RE: SB 2990, SD 1 - RELATING TO FAMILY LEAVE

WEDNESDAY, FEBRUARY 28, 2018

COREY ROSENLEE, PRESIDENT
HAWAII STATE TEACHERS ASSOCIATION

Chair Dela Cruz and Members of the Committee:

The Hawaii State Teachers Association **supports SB 2990, SD 1**, relating to family leave.

Teachers are fortunate to be covered by a collective bargaining agreement that provides paid sick leave. Over 40 percent of Hawaii's workforce, however, is not afforded the same benefit. As a result, workers are often required to choose between providing for their families by working while sick or enduring a loss of income to recuperate. Families also must decide whether or not to send sick children to school or stay home and lose a day of pay. For low-income families, this financial bind can mean the difference between providing food or going hungry. When children are forced to attend class while ill, moreover, contagions may spread to other students.

It's a chain reaction. Multiple families may be become infected. Entire classes may see their health and learning suffer. Providing paid sick leave that may be extended to family members will break the cycle of illness by allowing families to care for themselves and their children without loss of pay. As this measure moves forward, we urge you to continue mandating establishment of family leave by 2020. Working families should not have to wait any longer than necessary for the financial insurance needed to cover medical emergencies and kupuna care.

Sickness should not become a debt sentence. To better care for families living paycheck to paycheck, the Hawaii State Teachers Association asks your committee to **support** this bill.

To: Chair Dela Cruz, Vice Chair Keith-Agaran and members of the Ways and Means Committee

Re: Testimony in SUPPORT of SB2990 SD1 Re Family Leave

Hearing: Wednesday, February 28, 2018 10:45 a.m. Rm. 211

Thank you for allowing this testimony in SUPPORT of SB2990 SD1 and considering my suggestion at the bottom.

This bill creates an implementation board which will establish an insurance program for paid family leave. It is the kind of insurance sorely needed by Hawaii's working women and families.

The 1993 the federal Family and Medical Leave Act provided time off, but no wage replacement. That means Hawaii's low income workers cannot afford to take family leave such critical family events as the birth of a baby or illness of a parent.

Sadly, the attempt this year to create a family leave insurance program was a bridge too far. A 2017 US Department of Labor funded, one-year study to create a program in Hawaii was drafted by some of the nation's experts in creating such a program. There was no cost taxpayers. Insured employees could pay \$1.11 per week to fund both progressive wage replacement and staff to maintain the system.

Progressive wage replacement meant lower income workers would received a higher percentage of their wages and they could actually afford to take family leave. In California the Chamber of Commerce supported family leave insurance which allowed employers to keep their experienced employees.

The creation of the insurance program would be a positive step for Hawaii's women and families. The board legislated by this bill could only stand to benefit by using the 2017 study as a reference for developing such an insurance system.

Thank you again. Sincerely,

Amy Monk

Commissioner,

Hawaii State Commission on the Status of Women

The Twenty-Ninth Legislature
Regular Session of 2018

THE SENATE

Committee on Ways and Means
Senator Donovan M. Dela Cruz, Chair
Senator Gilbert S.C. Keith-Agaran, Vice Chair
State Capitol, Conference Room 211
Thursday, February 22, 2018; 1:30 p.m.

**STATEMENT OF THE ILWU LOCAL 142 ON S.B. 2990, SD1
RELATING TO FAMILY LEAVE**

The ILWU Local 142 **supports the intent** of S.B. 2990, SD1, which requires the Department of Labor and Industrial Relations (DLIR) to adopt rules by January 1, 2020 that establish paid family leave for all workers; authorizes the Department to adopt interim rules; establishes the Paid Family Leave Implementation Board to assist the Department and report to the Legislature; establishes a paid family leave special fund; and appropriates funds.

Our primary concern is that one of the three proposed means of funding the Paid Family Leave Special Fund requires contributions from both employers and employees. **The ILWU opposes open-ended employee contributions to pay for what should be an employer-provided benefit.**

The original S.B. 2990 and the proposed SD1 did not specify that contributions from employers and employees would be used to fund paid family leave benefits. Instead, the bill and the proposed SD1 called for the Implementation Board to review various models to effectuate paid family leave for all workers. Determining from the outset that the Special Fund requires employer and employee contributions may be putting the cart before the horse.

Paid family leave, like Temporary Disability Insurance, should be considered an employee benefit, paid for by the employer as a cost of doing business. Both parties will benefit from paid family leave—i.e., employees will benefit from paid leave to address family responsibilities but employers will also benefit from better productivity and better relations with employees who can take time off with pay when pressing family needs arise. However, if all employees must contribute to the Fund, most, if not all, employees will want to take advantage of it. Requests for family leave will increase even if the need may not necessarily support it. If it is a strictly employer-paid leave program, employees will be more likely to use it only when the need truly warrants it.

SD1 also appears to prescribe what the paid family leave program will include—namely, the minimum number of weeks of paid leave, coverage for all employees no matter how large or small the employer is, progressive wage replacement, and job protections. While we support all of these concepts, we do not believe the legislation should pre-determine the parameters of the paid family leave program.

The Implementation Board should be allowed to consider all models without foregone conclusions about how to fund paid family leave benefits, who will be covered, or what the extent of the benefit will be. Using an actuarial analysis that the legislation provides for, the Board can determine how much the Special Fund will need and how much can be paid out in benefits.

The Implementation Board intends to bring together stakeholder representatives, including key legislators, the Director of Labor and Industrial Relations, the Director of Human Resources Development, the Comptroller, the Insurance Commissioner, and representatives from employers of varying sizes, the insurance industry, labor unions, and paid family leave advocates to discuss and determine the best model to implement paid family leave in Hawaii. SD1 included the Governor's chief of staff as chairperson and representatives from the medical or public health community and the human resources profession, and a third paid family leave advocate appointed by the Commission on the Status of Women.

Establishing a paid family leave program involves much more than simply willing it to happen. A thorough actuarial analysis is needed to ensure that the program is fair, cost-effective, and sustainable. Those who advocate for paid family leave, including labor unions, want the best possible benefit, but we anticipate that some compromise (i.e., give and take) will be required to end up with a program that all stakeholders believe will be workable.

With input from all sectors, greater buy-in for the program can be established. Expertise from the departments and the insurance industry can also more readily help to identify workable solutions to allow the Board to accomplish its mission of establishing a sustainable, cost-effective paid family leave program.

A final concern is that the existing Temporary Disability Insurance (TDI) law must be protected. Similar to the Prepaid Health Care Act, TDI was landmark legislation when first enacted and has served Hawaii's employees and employers well over the years. We believe that tampering with the law in any significant or not-so-significant way that jeopardizes the benefits workers have come to rely on may end up jeopardizing the stability of the workforce.

The ILWU respectfully urges consideration of the following amendments to S.B. 2990, SD1:

1. Delete the third numbered paragraph in the proposed new HRS 398-___, which will then delete the sentence as follows: “~~[(3) Moneys contributed by employers and employees as a condition of paid family leave implementation as established by the paid family leave implementation board]~~”;
2. Delete Section 3 (b) in its entirety;
3. Restore the Director of Labor and Industrial Relations as the chairperson of the Implementation Board and include the Governor's Chief of Staff as an ex-officio member of the Board; and
4. Add language to ensure that all existing provisions of the Temporary Disability Insurance (TDI) law, including the provision to permit sick leave that is equivalent to TDI, be kept intact. However, allowing the use of TDI for family leave purposes similar to Act 44, which allows accrued and available sick leave to be used for family leave purposes, may be something to explore.

Thank you for the opportunity to offer testimony on this measure.

To: Hawaii State Senate Committee on Ways and Means
Hearing Date/Time: Wednesday, Feb. 28, 2018, 10:45 a.m.
Place: Hawaii State Capitol, Rm. 211
Re: Testimony of Planned Parenthood Votes Northwest and Hawaii in support of S.B. 2990, SD1

Dear Chair Dela Cruz and Members of the Committee,

Planned Parenthood Votes Northwest and Hawaii (“PPVNH”) writes in support of S.B. 2990, SD1. PPVNH supports policies that help move us to a society in which it is feasible and commonplace to have family leave insurance (“FLI”) and the funding mechanisms that make such leave available to all workers.

Most workers have only limited paid leave to deal with their family health needs, and many have no leave at all. When a new child comes into a family or a serious illness strikes, people need longer periods of time off. FLI provides low-cost insurance for all workers, and is a wage replacement program for employees on leave to adopt or give birth to a child, take care of a loved one, or care for themselves.

FLI allows new parents and caregivers to take care of their family with stable, predictable income without becoming dependent on public resources like unemployment insurance or food stamps. Women who have paid leave tend to not only remain in the workforce after pregnancy, but have higher wages over time than those who do not. While it is crucial for women’s economic security and health to have paid family leave, families of all forms need this benefit too. Businesses see improvements in productivity and cost-savings as a result of providing paid family leave for workers.

Thank you for this opportunity to testify in support of this important measure.

Sincerely,

Laurie Field
Hawaii Legislative Director

Helping Hawai'i Live Well

To: Senator Donovan Dela Cruz, Chair, Senator Gilbert Keith-Agaran, Vice Chair, Members, Senate Committee on Ways and Means

From: Trisha Kajimura, Executive Director

Re: TESTIMONY IN SUPPORT OF SB 2990 SD1, RELATING TO FAMILY LEAVE

Hearing: February 28, 2018, 10:45 am, CR 211

Thank you for hearing **Senate Bill 2990, SD1**, which would enable workers to take paid time off during major life events. We support 16 weeks' wage replacement, a flexible and non-burdensome combination of employee and employer contributions, while providing wage replacement insurance for the birth, adoption, or fostering of a child, including leave for caregiving for a family member's serious health condition(s), and/or a service member's qualifying exigency. With this program, Hawaii could provide 16 weeks of leave to care for a new child or sick or injured family member, and it would only cost around \$58 per year (\$1.12 per week) to cover a worker making \$48,000 annually.

This policy should provide a progressive wage replacement so that lower-income workers can access a higher percentage of income in order to afford to take leave. Additionally, there should be an opt-in for the self-employed, and there are no eligibility carve-outs for the employer's industry or business size, so ALL Hawaii workers have access to a program with the most affordable premiums/contributions, and is transferable if people change jobs or industry.

Mental Health America of Hawaii is a 501(c)3 organization founded in Hawai'i 76 years ago, that serves the community by promoting mental health through advocacy, education and service. We are supporting this measure because maintaining healthy families in Hawaii means that family members occasionally have to take off from work to be caregivers. We believe that workers should be able to access this type of support so that they can have peace of mind while caring for their families and go back to work with less financial burden and work with higher productivity. High levels of stress threaten mental health and we need this policy to help family caregivers

Thank you for considering my **testimony in support of SB 2990 SD1**. Please contact me at trisha.kajimura@mentalhealthhawaii.org or (808)521-1846 if you have any questions.



49 South Hotel Street, Room 314 Honolulu HI 96813
www.lwv-hawaii.com 808.532.7448 voters@lwv-hawaii.com

February 25, 2018

WAYS AND MEANS COMMITTEE
February 28, 2018: 10:45, Conference Room 211
SB2990 SD1 : RELATING TO FAMILY LEAVE
TESTIMONY: Laurie Tomchak, League of Women Voters

Chair De la Cruz, Vice Chair: Vice-Chair Keith-Agaran and Committee Members:

The League of Women Voters supports this measure. Having paid coverage as described in this bill (to further expand the National Family Leave Act of 25 years ago) is the only way that the program will be of benefit to lower income workers, who can care for a new baby, a sick family member or a fragile kupuna. The more people who are part of it, the more it will establish a secure financial base for the insurance system necessary to fund it at the least expensive cost. If it is not funded, only higher paid employees could participate, since others could not afford to take off from work due to Hawaii's high cost of living.

Thank you for the opportunity to submit testimony.



1050 Bishop St. PMB 235 | Honolulu, HI 96813
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Executive Officers

Beau Oshiro, C&S Wholesale Grocers, *Chair*
John Erickson, Meadow Gold Dairies, *Immediate Past Chair*
Toby Taniguchi, KTA Superstores, *Vice Chair*
Lauren Zirbel, HFIA, *Executive Director*
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Paul Kosasa, ABC Stores, *Advisor*
John Shilf, Rainbow Sales & Marketing, *Advisor*
Barry Taniguchi, KTA Superstores, *Advisor*
Derek Kurisu, KTA Superstores, *Advisor*

TO:
Committee on Ways and Means
Senator Donovan M. Dela Cruz, Chair
Senator Gilbert S.C. Keith-Agaran, Vice Chair

FROM: HAWAII FOOD INDUSTRY ASSOCIATION
Lauren Zirbel, Executive Director

DATE: Wednesday, February 28, 2018
TIME: 10:45am
PLACE: Conference Room 211

RE: SB 2990 Relating to Family Leave

Position: Comments

The Hawaii Food Industry Association is comprised of two hundred member companies representing retailers, suppliers, producers, and distributors of food and beverage related products in the State of Hawaii.

Hawaii is frequently ranked a one of the worst, if not the worst state for doing business. Our member businesses take great pride in feeding Hawaii, but there are many factors that make it a challenge for these companies to continue to serve our communities.

We appreciate that this bill seeks to take a thoughtful approach to this issue and is designed to get input from various stakeholders. We hope that when considering the feasibility of providing paid family leave to all workers in Hawaii the legislature will consider how this will impact the business environment in our state, and bear in mind that drastic increases to labor costs have the potential to eliminate jobs and raise prices.

It is important to understand that a family leave program will have a number of added costs for our businesses beyond just the financial contribution businesses are forced to make. The administrative burden of implementing and managing this program will be considerable; there will also be additional losses to businesses if this program is abused. When business costs are increased drastically businesses like grocery stores which operate at very low profit margins

have few choices, they either have to increase prices for their customers, cut jobs, eliminate other employee benefits, or for vulnerable businesses they may be forced to close. These are outcomes we all want to avoid. We ask that the legislature be realistic and mindful about the unintended negative consequences that a program like this could have on our business climate, our job market, our food prices, and our economy as a whole.

Thank you for the opportunity to testify.



healthymothers
healthybabies

COALITION OF HAWAII

To: Senate Committee on Ways and Means
Hearing Date/Time: Wednesday, 2/28/2018 at 10:45am

Re: TESTIMONY IN SUPPORT OF SB2990 SD1 - RELATING TO FAMILY LEAVE

Dear Chair Dela Cruz, Vice Chair Keith-Agaran, and members of the Committee,

I would like to thank you for the opportunity to testify in support of SB2990 SD1. This bill would establish an implementation task force with a goal to establish a system by 2020 and **we want to ensure strong support for the timely, comprehensive implementation of a program** that provides an adequate amount of leave. **We strongly recommend an optimal 16 weeks of leave**, putting Hawaii at the forefront of the nation, with a program that would only cost around \$58 per year (\$1.11 per week) to cover a worker making \$48,000 annually.

A thorough actuarial study conducted for Hawaii in 2017 as part of a U.S. Dept. of Labor grant calculated usage, cost, and feasibility of the implementation of a family leave insurance program in Hawaii. The data concluded that family leave insurance is both necessary and cost-effective for workers to take off adequate time to care for their families without facing financial ruin.

Benefit to families:

As more and more states and jurisdictions pass paid leave laws, we want to ensure that Hawaii tracks very closely behind. Our state typically stays ahead of the curve for health status and progressive policies, and **Paid Family Leave is one of the single most effective strategies in positively impacting the trajectory of public health. Workers receiving paid leave benefits are also less likely to rely upon other public assistance benefits, such as SNAP and TANF.**

Paid parental leave can reduce infant mortality by as much as 10%, according to a 2011 study of 141 countries with paid leave policies. **It also increases the likelihood of infants getting well-baby care visits and vaccinations**, with one study finding that children were 25.3% and 22.2% more likely to get their measles and polio vaccines, respectively, when their mother had access to paid maternity leave. Without paid leave, there was no increase in immunizations.

Paid parental leave can also reduce incidences of postpartum depression and increase the rate and duration of breastfeeding. A 2011 study in California found that **women who had paid leave breastfed twice as long as women who did not take leave.** Babies who are breastfed, according to the Centers for Disease Control and Prevention, are less likely to get a variety of infections and are also at lower risk for asthma, obesity and sudden infant death syndrome. There are benefits to mothers, too, as women who breastfeed are less likely to get breast cancer, ovarian cancer, type 2 diabetes and heart disease.

Benefits to businesses:

Paid family leave policy is a great business investment, as it has been shown to reduce employee turnover, boost morale and increase productivity. Workers who have access to family leave benefits are **more likely to return to work after their leave is over**, and studies from the Institute for Women's Policy Research determined that **the availability of paid leave will not drastically increase the amount of leave taken.** The availability of this benefit, however, **increases the likelihood that workers who already need this leave will return to their jobs.**

We currently have all of the necessary data to establish paid family leave, and to impede or delay the implementation is a detriment to the families of Hawaii. It is also strongly suggested that the

Implementation Board be comprised of individuals with subject matter experience and familiarity with the Hawaii State Paid Family Leave actuarial data.

This policy should, above all, **establish a date that the program shall begin disbursing leave benefits and allow for 16 weeks' wage replacement**, a flexible and non-burdensome combination of employee and employer contributions, while providing wage replacement insurance for the birth, adoption, or fostering of a child, including leave for caregiving for a family member's serious health condition(s), and/or a service member's qualifying exigency.

Progressive wage replacement for lower-income workers is a critical component to accessing a higher percentage of income in order to afford to take leave. Additionally, **there should be an opt-in for the self-employed, and 100% eligibility, so ALL Hawaii workers have access to a program with the most affordable premiums, and is transferable if people change jobs or industries.**

Attached is a collection of stories from public outreach conducted by Healthy Mothers Healthy Babies for the Working Families Hawaii Coalition. Hawaii families contributed their personal testimonials as to the need for, and impact of the availability of paid leave options. Please see the following pages for more information.

We stand in support of SB 2990 SD1 and respectfully urge your Committee to consider our comments in moving this bill forward. Thank you for the opportunity to provide testimony.

Sincerely,

Lisa Kimura
Executive Director
Healthy Mothers Healthy Babies Coalition of Hawaii



The Need for Paid Family Leave: Stories from Hawaii Families

STORY COLLECTION AND BUSINESS OUTREACH CONDUCTED AND REPORT PREPARED BY:
HEALTHY MOTHERS HEALTHY BABIES COALITION OF HAWAII
245 N KUKUI ST., STE #102A, HONOLULU, HI 96817
(808) 737-5805 — WWW.HMHB-HAWAII.ORG

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Story Collection Efforts

With assistance from Paid Family Leave Coalition members, advocates and community members, stories were requested about experiences during times of job leave to provide family caregiving responsibilities. These testimonials will be used in a story bank to help support legislative advocacy efforts. Please note: some names have been changed to safeguard individuals' identities.

Grace's Story

Grace, a brand-new mother from Honolulu, thought she had nothing to worry about when it came to childcare after birth because her mother had offered to take care of her baby when she went back to work. Help from her mother took a tremendous amount of weight off Grace's shoulders because it meant that she had time to recover from childbirth, both physically and financially. But when her stepdad was unexpectedly, critically injured after getting hit by a car, Grandma had to take care of him, and was unable to watch the baby anymore.

Almost losing her stepdad affected the family hard, but finding someone to help her take care of her baby at a time like this, was even harder. Although she was able to do some part-time work at home, she had exhausted all her vacation and sick days, and she struggled to find a last-minute childcare option so that she could return to work full-time. Grace ended up taking off four months from work and was forced to be financially dependent on her parents, who already had hospital bills to pay.

For Grace, her mother, and many other parents, family leave insurance helps support financial stability, decreases stress, helps with transitioning back to work, and helps alleviate pressures, especially with lactation, as it can take almost two months or more to successfully establish breastfeeding.

Francois' Story

Francois and his family were faced with not one, but two life-threatening incidents with his young daughter. When she was born dangerously premature at 27 weeks, he was only able to take off work for a painfully short five days. Despite this unforeseen circumstance, the pressure of the expectation to return to work, along with the lack of family leave policies or insurance options at his company, meant that he was only allowed less than a week to emotionally support his wife and medically-fragile child. As the hospital bills piled up during his daughter's

incubation in the Neonatal Intensive Care Unit (NICU), he was forced to go back to work to make sure he was able to support his family financially, instead of spending time with them during a critical period.

Unfortunately the hardships in the family continued thereafter. When his daughter later contracted a serious virus and was hospitalized, Francois scrambled to find other family members to help watch his daughter for three-shift, around-the-clock care.

He was forced to take time away from work, off and on, for nearly three months to take care of his critically ill daughter but it still was not enough time. He struggled with balancing the need to provide financially for his family, while juggling time with his daughter; giving his other children enough attention, who were deprived from their sister; and spending time bonding with his wife.

Workplace policies (such as paid family leave and flex-work schedules) that support family leave during times of health emergencies can provide the bridge to ensure financial burdens are decreased, and stress is alleviated.

Linda's Story

When Linda first began simultaneously taking care of both her elderly mother, and mother-in-law, she was able to take off work to make sure they both ate and took the medications they needed. But as her mother-in-law's dementia progressed, Linda needed to go more often to help during her lunch hour, and again after work, until 9 p.m. When her own mother got worse, she started helping out in the mornings before work, and whenever she could fit it between her work schedule.

Then, when Linda's husband unexpectedly needed an amputation, leaving him permanently disabled, it dramatically changed their lives. Whereas she experienced stress and burnout, her husband felt guilty for requiring so much help. After three and a half years of trying to juggle both her job and caretaking responsibilities, she asked her company for reduced, or more flexible hours, but they refused to help her.

Linda eventually had to quit working full-time because her husband was experiencing depression and withdrawal. They ended up applying for social security and Linda took a part-time job in order to afford assistance from in-home health care services. Although her husband was unable to work, and Linda was nearing retirement herself, they ended up draining their savings and dipping into retirement funds to make it through. They remain unable to recover from the severe financial impact.

FACT: Millions of workers have caregiving responsibilities for both young children and aging parents. Only 12 percent of U.S. private sector workers have access to paid family leave through their employer.

Kehaulani's Story

Kehaulani, a mother of three, was only able to take six weeks of leave for each new child. “It’s not nearly enough,” she said, “it should be three months, if not a year. Learning how to breastfeed takes time, and you’re not ready to leave them at six weeks.”

When her third child was born with special health care needs and was hospitalized for an additional week after birth, she decided to take six weeks off work, even though she was only approved for five. While her company was amenable to the extra week of leave and a temporary work-from-home arrangement, the human resources department miscalculated her leave, so she ended up having to owe hours back her company, taking more time away from her child.

Although her family did not have enough money to stay out of work as long as they would have liked, particularly with the added financial burden of hospital bills, they made the sacrifice to ensure that their son was taken care of.

FACT: Paid maternity leave can increase female labor force participation by making it easier for women to stay in the workforce after giving birth, which contributes to economic growth. When parents are better supported at work through paid family and medical leave, they are also less likely to rely on public assistance benefits.

Marci's Story

When Marci was forced to return to work at seven weeks postpartum with each child, she felt like she was “still in the fog” after having a baby, and struggled not to put so much pressure on herself for being back at work.

After giving birth to her first child, she used up all of her Temporary Disability Insurance (TDI) and then used paid time off (PTO) for the remainder of her leave. However, she started a new job shortly before becoming pregnant with her second child, and because she had only been at her job for less than a year, did not have much vacation leave saved up. After giving birth, Marci

utilized TDI for six weeks, then dipped into her limited number of vacation days, before taking unpaid leave. Although she returned to work, Marci wished she could have saved those vacation hours when she really needed it throughout her baby's first year.

Transitioning from stay-at-home mom whose children are entirely dependent, to full-time worker with no available paid leave options and whose children were away from her for most of the day was an extreme change, resulting in much stress and anxiety.

FACT: Too many workers still cannot afford to take unpaid leave because of the loss of income it entails, or have to cut their leave short because of financial or workplace pressures. Strong paid family and medical leave policies can help working families take time off for caregiving responsibilities, as well as their own medical needs, without putting their economic security at risk.

Adam's Story

Adam, a father of two, was only able to take two vacation days after each of his sons were born. His company was unsupportive of family leave obligations, and with no extended family living on-island, finding childcare or in-home help was difficult for them on a single income.

His wife also had a C-Section for both births and was physically restricted after each delivery, so Adam had to step in and help with all of the things that his wife could not do. For Adam, juggling both family and work was difficult especially with his wife being restricted for the first few weeks. His wife also developed postpartum depression in the weeks after giving birth, and the emotional stress compounded the family's struggle.

Many fathers feel that our culture is biased against men for being equal caregivers and that many industries are not supportive or understanding of paid family leave. "Fathers are just as important to their babies as mothers are," said Adam. He says his family would have fared much better if his company allowed him to stay home for the first few weeks while his wife recovered, and if they had had family leave insurance to cover some of their basic needs in the early postpartum stages.

FACT: Paid leave leads to better outcomes for parents and children. Maternity leave improves child health outcomes, including increased birthweight, decreased premature births and decreased infant mortality. Paid leave encourages men to take paternity leave and serve as caregivers, which has a number of positive effects for families.

Kiana's Story

Without any form of disability insurance, vacation, sick days or paid leave, Kiana's family had to go "through the system" to receive Temporary Assistance for Needy Families (TANF) after giving birth. Paid leave would have put less stress on her family, she said, and she would have had more loyalty to her company and confidence in her work. Instead, the lack of income after giving birth made her feel like she was not important to her company, and that they did not value her health or her children.

Now she still lives in fear of going broke if she or a family member becomes sick. "Having paid sick days and paid family leave is important because it tells me that I am important to my company. My physical and emotional health is important, and keeping myself healthy allows me to work."

FACT: Paid leave can reduce the financial burden of illness that has been shown to lead to bankruptcies. Past research has found that a significant share of families that file for bankruptcy—25 percent of dual-income families and 13 percent of single-parent families—do so after missing two or more weeks of work because they were sick or were caring for an ill family member, circumstances that would be covered by a paid family and medical leave policy.

Catherine's Story

When Catherine gave birth, she had to make the tough and life-changing decision to separate herself from her job with the Navy because she was only offered six weeks of leave to recover, bond with her newborn, and get adjusted to the new demands of motherhood.

Although she decided that it was more important to raise her child, she felt miserable that she had to leave her hard-earned, honorable position, as well as guilty that she could not financially support her newborn. She said that felt that she was letting herself, and her child, down.

FACT: Numerous studies have shown how critical the early childhood period is to making sure children have the opportunity to succeed. Research shows that mothers' access to leave can have a positive impact on their children's health and development, and can even affect long-term educational and earnings outcomes for children.

Leanne's Story

When Leanne gave birth to her first baby, she was a single mother, and the sole provider. She was recovering from an emergency c-section and used up all of her vacation and sick leave recovering from complications from childbirth. When her daughter was hospitalized with a serious infection at only two weeks old, Leanne used what little savings she had to cover the hospital bill, and relied upon Women Infants & Children (WIC) benefits for nutrition and support.

When she was told that her job would not be held unless she returned to work, she came back to her company exhausted, distracted and unmotivated. At work, her boss was unsupportive of her desire to pump breastmilk, and because she had expended any paid leave options during her maternity leave, Leanne was forced to take unpaid leave whenever her daughter needed to visit the pediatrician. By the time her daughter was a year old, Leanne left the company for another job that was more supportive of family responsibilities.

Leanne later married and had two more children, and after taking a combination of paid and unpaid leave after each birth, returned to work full-time. It was a struggle to maintain the busy lifestyle of a dual-earner family of young kids, so when Leanne's father-in-law had a stroke, rendering him disabled, they were unexpectedly forced to absorb caregiving responsibilities. Because he lives alone, Leanne and her husband alternate taking time off work to care for him. "Through one little twist of fate, we just became members of the 'sandwich generation,'" she said. "It's so difficult to care for everyone while working full-time."

FACT: More than ever, families depend on women's earnings. In 2013, nearly two-thirds of families relied entirely or in part on a mother's income, and 45 million children lived with a mother who was in the labor force. The economy benefits from increasing access to paid leave because it helps workers stay in jobs that are a good match for them and where they have developed skills, which increases overall productivity.

Juliet's Story

For first-time mom Juliet, pregnancy rapidly progressed from enjoyable to terrifying, when a health crisis was detected and she suddenly had to deliver her son via emergency c-section five weeks prematurely.

By the time her baby was released from the NICU over a month later, she had nearly used up her brief maternity leave recovering from her own surgery; now she had a fragile infant to care

for. She was unable to return to work, sacrificing her family's financial ability to make ends meet, while enduring a stressful health situation for herself and her newborn baby.

FACT: Paid leave has been shown to increase labor force participation and employment-to-population ratios, especially for women. Women who return to work after taking paid leave are about 40 percent less likely to receive public assistance in the year after giving birth than women who keep working and have no leave at all, and significantly more likely to return to their pre-leave employer and to maintain their pre-leave wages. They are able to build more tenure and experience in their jobs and maintain good job matches. This can raise their earnings and help close the gender pay gap.

To: Senate Committee on Ways and Means
Date/Time: Wednesday, 2/28/2018 at 10:45am



Re: TESTIMONY IN SUPPORT OF SB2990 SD1 - RELATING TO FAMILY LEAVE

Dear Chair Dela Cruz, Vice Chair Keith-Agaran, and members of the Committee,

As a start-up high-tech company working in a traditional field like agriculture, I recognize and empathize with the labor demands at each end of the employment spectrum. I've experienced the challenges of recruiting and retaining talented millennials in the competitive tech industry, and have personally observed and discussed how to ensure the stability of the aging agricultural labor force.

To help address the issue, my company Smart Yields provides three weeks of paid family leave to our staff because I believe in taking good care of my employees, and as a father of three and member of the "sandwich generation," I recognize the responsibility to care for family during critical periods. Caregiving is a universal need at some point in life, and currently the Family and Medical Leave Act (FMLA) and Hawaii Family Leave Law (HFLL) exclude a significant portion of Hawaii's workforce and do not offer any paid time off. This means that even those who qualify for unpaid family leave under state or federal law may not be able to afford to take adequate time off for their family's needs.

Our employees recognize and appreciate the paid family leave benefit, which in turn creates strong company loyalty. If staff need to take leave, they don't have to experience the stress of choosing between sacrificing income and family caregiving responsibilities. Indeed, a family leave insurance program helps businesses retain key employees and remain competitive.

In our technology-driven world, companies like Netflix, Microsoft, Facebook, Google, Twitter, Lyft and others are offering paid family leave as a highly competitive hiring advantage, with some companies offering up to six months of leave or more for new parents. As a small business in a global economy, it's incredibly important to be able to offer a competitive benefits package. A state insurance fund creates an affordable solution that helps small businesses retain employees without incurring the cost of replacing wages for employees on leave. In fact, workers who have access to family leave benefits are more likely to return to work after their leave is over, and in a 10-year study of the California family leave law, businesses reported family leave had either a positive or a neutral effect on their business and small businesses were less likely to report any negative effects.

In Smart Yields' experience with other global companies on multiple continents, we're residents of the only country in the world that does not automatically offer job-protected paid leave to new mothers. Where is the valuation on the health of the next generation, when parents are unable to recover and bond with a new baby, or to care for a child, spouse or parent?

A social insurance policy that provides paid family leave to all workers in Hawaii creates a level playing field in the business world, allowing small employers to remain competitive and to attract and retain quality workers. I support SB2990 SD1 because this family leave insurance program will actually save my company money, while increasing the health and prosperity of workers in Hawaii.

I urge you to consider passing this bill. Thank you for the opportunity to testify.

Vincent Kimura
CEO and Co-Founder
Smart Yields, Inc.

SB-2990-SD-1

Submitted on: 2/26/2018 9:46:33 PM

Testimony for WAM on 2/28/2018 10:45:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kawika Riley	Testifying for Hawaii State Commission on Fatherhood	Support	No

Comments:

Aloha e Chairman Dela Cruz, Vice Chair Keith-Agaran, and Members of the Ways and Means Committee,

On behalf of the Hawai'i State Commission on Fatherhood, I am pleased to testify in strong support of SB 2990 SD1, which would benefit Hawai'i's parents, children, and families by establishing a framework for a limited amount of paid family leave for the people of Hawai'i. While the Commission has not voted on SB 2990 SD1, we recently voted unanimously to support paid family leave legislation, in recognition of the important role that parental leave plays in the wellbeing of children, parents, and society. We are particularly mindful of the important role that paid parental leave can play in the wellbeing of the entire family.

As background, the Hawai'i State Commission on Fatherhood is an all-volunteer commission established by the State for the purposes codified in Hawai'i Revised Statutes, Chapter 557-E. Our duties include the identification of obstacles that limit the involvement of fathers in the lives of their children, and recommending policies and practices regarding fathers and their children. (See HRS 557E-4.) With respect to both of these duties, we are compelled to urge the Legislature to establish a paid family leave program for our State.

Various studies have found that paternity leave is strongly correlated with more active parenting by fathers, and more active father to mother caregiving following the birth of the child. Numerous studies indicate that these benefits carry far past the paid leave. In fact, the weeks immediately following birth appear to be a unique window of opportunity where couples set their roles and habits, including fathers establishing their level of activity with their children. Relatedly, active fatherhood is associated with virtually every positive socio-economic outcome, including educational attainment, future employment, healthy lifestyles, and self-esteem. Unfortunately, too few fathers are able to take ample leave, due to financial issues and workplace demands that will continue until a paid family leave program is established.

With respect to the specifics of the leave program, the Commission urges the Legislature to ensure that equal leave is available for mothers and fathers. Research

has found that fathers are most likely to use their leave benefits when they are specifically available to them; "pooled" or "transferrable" benefits too often result in fathers forgoing some or most of their leave, which is not associated with the previously mentioned positive outcomes.

Mahalo for the opportunity to provide testimony on this important bill.

KÄ• wika Riley

Chairman, Hawai'i State Commission on Fatherhood



HAWAII APPLESEED

CENTER FOR LAW & ECONOMIC JUSTICE

Testimony of Hawai'i Appleseed Center for Law and Economic Justice
Supporting SB 2990 SD1 – Relating to Family Leave
Senate Committee on Ways and Means

Scheduled for hearing at Wednesday, February 28, 2018, 10:45 AM in Conference Room 211

Dear Chair Dela Cruz, Vice Chair Keith-Agaran, and members of the Committee:

Thank you for the opportunity to testify in SUPPORT of **SB 2990 SD1**, which would require the establishment of paid family leave for all workers by January 1, 2020, with payments being processed by July 1, 2022.

Low-wage workers are the least likely to have access to paid family leave, while they need the financial support of paid leave the most. Especially with more and more of our kūpuna needing care, our state needs to create a safety net for families facing serious caregiving responsibilities.

In order for such a program to be truly effective in Hawai'i, we'd like to point out how important it is for a paid family leave program to follow a social insurance model. A prominent example of a social insurance approach is Social Security. Experts from both the left and the right agree that this is the best way to reduce costs to employers and overall administrative expenses, as well as prevent discrimination against those workers who are mostly likely to take leave.

Even the right-leaning American Enterprise Institute has testified in favor of a social insurance program over an employer mandate to purchase private family leave insurance or to self-insure¹:

[T]he idea that companies might be better off with an employer mandate instead of a social insurance program is hard to fathom. While social insurance broadly distributes the costs of providing leave, an employer mandate shifts all of the costs onto the firm, raising implicit labor costs. Firms can respond to this mandate in several ways: One, they may try to self-insure or purchase private insurance products; these will likely be costly and unavailable in many places. Two, they may reduce wages paid for workers that are hired. Three, firms may simply discriminate against people who are more likely to use this leave, particularly women. Since an employer mandate disproportionately raises the expected labor costs of those most likely to use the paid leave, mandating paid leave incentivizes firms to discriminate against women and others likely to take up the policy... A mandate imposes additional costs and distortions that could be much more expensive to the public than social insurance.

We appreciate your consideration of this testimony.

¹ <https://www.aei.org/wp-content/uploads/2017/10/DC-Testimony-Mathur-1.pdf>

The Hawai'i Appleseed Center for Law and Economic Justice is committed to a more socially just Hawai'i, where everyone has genuine opportunities to achieve economic security and fulfill their potential. We change systems that perpetuate inequality and injustice through policy development, advocacy, and coalition building.



PROTECTING HAWAII'S OHANA, CHILDREN, UNDER SERVED, ELDERLY AND DISABLED

26 February 2018

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TO: Senator Dela Cruz, Chair
Senator Keith-Agaran, Vice Chair
Members of the Committee on Ways and Means

FROM: Cynthia J. Goto, Advocacy Consultant with PHOCUSED

SUBJECT: Testimony in Support of SB2990 SD1: RELATING TO FAMILY LEAVE

Hearing: Wednesday, February 28, 2018
10:45 AM
Conference Room 211

Chair Dela Cruz, Vice Chair Keith-Agaran, Members of the Committee on Ways and Means,

Thank you for the opportunity to testify in support of SB2990 SD1. I am Cynthia Goto, advocacy consultant for PHOCUSED.

PHOCUSED is a nonprofit, nonpartisan organization dedicated to increasing the safety for, visibility of, and investment in the children and adults in Hawaii who are marginalized, impoverished, and under-served. Our organization has been a leading voice in advocating for families since our formation, as the membership of PHOCUSED and our Board of Directors represent many of the major health and human service providers and peer organizations dedicated to serving the vulnerable populations across our state. As such, PHOCUSED is proud to support SB2990 SD1.

This family leave insurance program would provide much needed support for employees who need to take time off to care for their family. Those who are low-income, in particular, are especially vulnerable to loss of wages or employment at a critical time in their families. This bill would provide paid leave from work to care for a new child or sick family member. The vulnerable

PHOCUSED is a membership and advocacy organization for health and human services in Hawaii, which works together with community stakeholders to collectively impact program and policy change for the most vulnerable in our state. Our commitment to the people is reflected in our name – Protecting Hawaii's 'Ohana, Children, Under-Served, Elderly, and Disabled. We are guided by the shared commitment of our members to protect the interests of Hawaii's people and the sector which seeks to provide them with quality programs and services.



PROTECTING HAWAII'S OHANA, CHILDREN, UNDER SERVED, ELDERLY AND DISABLED

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populations for which PHOCUSED has worked to improve their well-being, fall into this group that needs this resource. It allows workers to take adequate time off of work to care for their families without facing financial ruin or jeopardizing their career.

Our organization believes it is especially critical to include the progressive wage replacement to ensure that low-income workers are able to access the program. Those who earn less than half of the average weekly wage should receive 90% of their weekly earnings, while middle-income to higher-income workers should receive 75% or 50% of their weekly earnings, with a weekly cap.

Hawaii's vulnerable populations need family leave as a cost-effective way to keep employees in the work force and also take care of their families. Nearly half of families with children in Hawaii cannot afford basic needs. By 2020, about 40% of the workforce will be providing care for older parents. Paid family leave is needed now.

The majority of families in Hawaii are "working families" who cannot afford to take unpaid leave long enough to cover their care taking needs. Please help our ohana who are struggling to care for their loved ones in their time of need.

Thank you for the opportunity to submit testimony in support of SB2990 HD1.

PHOCUSED is a membership and advocacy organization for health and human services in Hawaii, which works together with community stakeholders to collectively impact program and policy change for the most vulnerable in our state. Our commitment to the people is reflected in our name – Protecting Hawaii's 'Ohana, Children, Under-Served, Elderly, and Disabled. We are guided by the shared commitment of our members to protect the interests of Hawaii's people and the sector which seeks to provide them with quality programs and services.

February 28, 2018

To: Senator Donovan M. Dela Cruz, Chair
Senator Gilbert S.C. Keith-Agaran, Vice Chair
Senate Committee on Ways and Means

From: Mandy Finlay, Director of Public Policy
Hawaii Children's Action Network

Re: **SB 2990, SD1 – Relating to Family Leave – SUPPORT, with one requested amendment**
Hawaii State Capitol, Room 211, February 28, 2018, 10:45 AM

Hawaii Children's Action Network (HCAN) writes in support of, with one requested amendment to, SB 2990, SD1, which would require the Department of Labor and Industrial Relations to establish a paid family leave program for all workers by 2020, would establish a paid family leave implementation board to assist the Department, and would require the Legislative Reference Bureau to conduct a study on implementing paid family leave.

Family leave insurance is a necessary and affordable benefit that promotes worker retention, economic stability for working families, gender equity in the workplace, and positive infant health outcomes. The program developed pursuant to this measure would provide paid family leave benefits to all workers, regardless of employer size, with job protection and a progressive wage replacement scale to enable low-wage workers to receive a higher percentage of their weekly earnings. We would request, however, that the bill be amended to specify that any resulting program must provide at least 16 weeks of paid leave.

Hawaii's workers need this benefit. In a 2017 public poll, 62% of Hawaii respondents reported that they had wanted to take leave in the past in order to care for a new child or family member. Currently, Hawaii employees do not have a right to paid family leave. The federal Family Medical Leave Act (which leaves out 40 percent of the state's workforce) provides for up to 12 weeks of unpaid leave for employers with 50 or more employees. The Hawaii Family Leave Law (HFLL) applies to employers with 100 or more employees and allows up to four weeks. This is also unpaid leave.

Hawaii has the fastest growing aging population in the nation. Our senior (age 65+) population is expected to grow 81 percent by 2030. Approximately 247,000 Hawaii workers serve as the primary caregiver for a family member. Paid family leave would allow these workers to care for their family members without compromising economic stability.

Hawaii's businesses would benefit from paid family leave. Paid family leave helps increase worker retention and loyalty. Workers who have access to family leave benefits are more likely to return to work after their leave is over. In a 10-year study of the California family leave insurance, businesses reported that family leave had either a positive or a neutral effect on their business. Small businesses were less likely to report any negative effects.

Providing paid time off for family caregiving strongly promotes gender equity. Women are often disproportionately impacted by the lack of paid leave, 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 but affects the economic stability for both women and men who are caregivers.

Family leave insurance leads to increased financial stability and healthier babies. Mothers who receive paid leave after the birth of a child are 39% less likely to rely on public assistance and 40% less likely to rely on food stamps than women who do not take paid leave at all and return to work, a trend that is present in men as well. Additionally, babies whose parents are able to take leave from work are more likely to breastfeed and receive regular medical checkups and vaccinations.

We know this can work in Hawaii. Top experts in the area of family leave studied usage, cost, and feasibility of implementation of a family leave insurance program for Hawaii. These studies collectively found that family leave insurance is a necessary and cost-effective way for workers to take adequate time off of work to care for their families without facing financial ruin or jeopardizing their career.

The Institute for Women's Policy Research, which houses some of the nation's top experts on family leave, conducted an actuarial analysis using a simulation model to study the use and cost of family leave insurance for Hawaii. The study found that the annual cost to cover sixteen weeks of leave for a worker making \$48,000 would be around \$58. That's only a little over one dollar per week.

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. Providing paid family leave to all workers is an affordable solution to enable workers to take a small number of weeks out of the workforce without having to face the impossible choice between their family member's health and their income or jobs.

For the above reasons, HCAN respectfully requests the Committee to pass this measure.

HCAN is committed to building a unified voice advocating for Hawaii's children by improving their safety, health, and education.



ACOG
The American College of
Obstetricians and Gynecologists

*American College of
Obstetricians and Gynecologists
District VIII, Hawai'i (Guam & American
Samoa) Section*

TO: Senator Donovan M. Dela Cruz, Chair – Senate Committee on Ways and Means
Senator Gilbert S.C. Keith-Agaran, Vice Chair – Senate Committee on Ways and Means

DATE: Wednesday, February 28, 2018, 10:45AM
PLACE: Conference Room 211

FROM: Hawai'i Section, ACOG
Dr. Greigh Hirata, MD, FACOG, Chair
Dr. Chrystie Fujimoto, MD, FACOG, Vice-Chair
Dr. Reni Soon, MD, MPH, FACOG, Legislative Chair
Lauren Zirbel, Community and Government Relations

**Re: SB 2990_SD1 – Relating to Family Leave
Position: SUPPORT**

HI ACOG **supports SB 2990_SD1** and other legislative proposals that support Hawaii's women and families. As a section of the Nation's leading group of physicians dedicated to improving health care for women, the Hawai'i Section of the American College of Obstetricians and Gynecologists (HI ACOG) represents more than 200 obstetrician-gynecologist physicians in our state.

Paid family leave fosters healthier babies

- As obstetricians, we all have had to do what we can to help new mothers and fathers piece together what leave they have to care for their newborns, and adequately recover from childbirth. All too often, mothers and fathers return to work sooner than is medically recommended because they cannot afford not to.
- The newborn period is a critical time of development and babies deserve the chance to bond with both parents if they can.
- Babies whose parents are able to take leave from work are more likely to receive regular medical checkups, vaccinations, and breastfeeding.¹
- Time-off periods after childbirth reduce the risk of postpartum depression in new mothers.²

SB 2990 advances social and economic justice for the people of Hawaii

- Although some workers may have access to paid leave, it is usually a benefit for the highest-paid workers. 90% of workers have no access to paid family leave that includes caregiving.³
- Low-wage workers, hourly workers, and Native Hawaiians and Pacific Islanders are less likely to be covered under the existing Family and Medical Leave Act.⁴

¹ SB Kamerman. Parental Leave Policies: The Impact on Child Well-being. In P Mossand & M O'Brien, Eds., International Review of Leave Policies and Related Research 2006, 16-21. London, UK: Department of Trade and Industry, 2006. Retrieved from http://www.leavenetwork.org/fileadmin/Leavenetwork/Annual_reviews/2006_annual_report.pdf.

² P Chatterji & S Markowitz. Family Leave After Childbirth and the Health of New Mothers. National Bureau of Economic Research, 2008. Retrieved from <http://www.nber.org/papers/w14156>.

³ Bureau of Labor Statistics, Table 33. Leave Benefits: Access, Private Industry Workers, National Compensation Survey, March 2017 (Department of Labor, 2017), available at <https://www.bls.gov/ncs/ebs/benefits/2011/ownership/private/table21a.pdf>.

⁴ SJ Glynn, H Boushey, & P Berg. 2016. Who Gets Time Off? Predicting Access to Paid Leave and Workplace Flexibility. Washington, DC: Center for American Progress. <https://cdn.americanprogress.org/wp-content/uploads/2016/04/20131209/WhoGetsTimeOff-report-04.20.26.pdf>.

With paid family leave women are more likely to stay in the workforce and less likely to rely on public assistance

- National data consistently shows that access to parental leave makes women more likely to return to work after giving birth.⁵
- Women who are able to take paid leave are 93% more likely to be in the workforce 9-12 months after a child's birth, compared to women who take no leave.⁶
- After California became the first state to offer paid parental leave, research showed that one to three years later, mothers of small children were working more hours and at higher average incomes.⁷
- Women who receive paid leave after the birth of a child are 39% less likely to rely on public assistance and 40% less likely to rely on food stamps than women who do not take paid leave at all and return to work.⁶

HI ACOG is dedicated to the advancement of health for women and their families. More and more states are recognizing that communities benefit when families are supported in caring for each other. Workers in Hawai'i should be able to be with the people they love when they need them the most without risking their economic security. For these reasons, HI ACOG supports SB2990_SD1.

Thank you for the opportunity to testify.

⁵ W Han et al. "Public Policies and Women's Employment After Childbearing," National Bureau of Economic Research Working Paper 14660 (2009).

⁶ L. Houser & TP Vartanian. Pay Matters: The Positive Economic Impacts of Paid Family Leave for Families, Businesses, and the Public, 2-12. Retrieved from <http://www.nationalpartnership.org/research-library/work-family/other/pay-matters.pdf>

⁷ M Rossin-Slater, C Ruhm, & J Waldfogel. "The Effects of California's Paid Family Leave Program on Mothers' Leave-taking and Subsequent Labor Market Outcomes." *Journal of Policy Analysis and Management*, 2013, 32: 224-245.



46-063 Emepela Pl. #U101 Kaneohe, HI 96744 · (808) 679-7454 · Kris Coffield · Co-founder/Executive Director

**TESTIMONY FOR SENATE BILL 2990, SENATE DRAFT 1, RELATING TO FAMILY
LEAVE**

**Senate Committee on Ways and Means
Hon. Donovan M. Dela Cruz, Chair
Hon. Gilbert S.C. Keith-Agaran, Vice Chair**

**Wednesday, February 28, 2018, 10:45 AM
State Capitol, Conference Room 211**

Honorable Chair Dela Cruz and committee members:

I am Kris Coffield, representing IMUAlliance, a nonpartisan political advocacy organization that currently boasts over 400 members. On behalf of our members, we offer this testimony in support of Senate Bill 2990, SD 1, relating to family leave.

This measure would *finally* establish a family leave insurance program for Hawai'i's workers, with up to 16 weeks of paid time off to address family needs, including keiki and kupuna care. Once effectuated, family leave insurance should also provide progressive wage replacement, allowing low-income workers to receive a higher percentage of their weekly wages (ideally, up to 90 percent) to make the benefit accessible to everyone.

Hawaii's workers need this benefit. In a 2017 public poll, 62 percent of Hawaii respondents reported that they had wanted to take leave in the past in order to care for a new child or family member. Currently, Hawaii employees do not have a right to paid family leave. The federal Family Medical Leave Act (which leaves out 40 percent of the state's workforce) provides for unpaid leave with up to 12 weeks for employers with 50 or more employees. The Hawai'i Family Leave Law (HFLL) applies to employers with 100 or more employees and allows up to four weeks. This is also unpaid leave. Moreover, Hawai'i has the fastest growing aging population in the nation. Our senior (age 65+) population is expected to grow 81 percent by 2030. Approximately 247,000 Hawaii workers are caregivers for a family member.

This program would help Hawaii's businesses. Family leave insurance increases worker retention and loyalty. Workers who have access to family leave benefits are more likely to return to work after their leave is over. In a 10-year study of the California family leave insurance

program, businesses reported that family leave had either a positive or a neutral effect on their business. Small businesses were less likely than large businesses to report any negative effects.

Providing paid time off for family caregiving strongly promotes gender equity.

Women are often disproportionately impacted by the lack of paid leave, 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 adversely impacts the economic stability of both male and female caregivers.

We know this can work in Hawai'i. Top experts in the area of family leave have studied the usage, cost, and feasibility of implementing a family leave insurance program for the islands. These studies collectively found that family leave insurance is a necessary and cost-effective way for workers to take adequate time off of work to care for their families without facing financial ruin or jeopardizing their careers.

We need a program that is affordable and designed to be revenue-neutral. The Institute for Women's Policy Research, which houses some of the nation's top experts on family leave, conducted an actuarial analysis using a simulation model to study the use and cost of family leave insurance for our state, which found that the annual cost to cover sixteen weeks of leave for a worker making \$48,000 would be roughly \$58—a little over one dollar per week to pay for invaluable financial security.

We are heartened that this measure was amended to specify that family leave insurance shall be instituted no later than 2020, rather than 2023, to provide a more timely benefit to Hawai'i's workforce. Prior to implementing its own family leave insurance program, New York completed an analysis of how to do so in less than two years. There is no reason that Hawai'i should take more time than New York, given our significantly smaller population size.

It's a stark reality when employees face the dire choice of caring for newborn or sick children, spouses, or parents or working to sustain their family's income. We must offer a smart, affordable solution that empowers workers to care for their families, while saving their jobs.

Sincerely,
Kris Coffield
Executive Director
IMUAlliance



Hawaii Women's Coalition

COMMITTEE ON WAYS AND MEANS
Senator Donovan M. Dela Cruz, Chair
Senator Gilbert S.C. Keith-Agaran, Vice Chair

DATE: Wednesday, February 28, 2018
TIME: 10:45 a.m.
PLACE: Conference Room 211

STRONG SUPPORT FOR SB2990 that would create Family Leave Insurance for the state of Hawaii

Aloha Chair Dela Cruz, Vice Chair Keith-Agaran and members,

The Coalition is in strong support of this measure. As advocates for women we understand that women are still the primary caregivers for family members from newborns, to sick children, to aging parents.

Caregiving too often places women in the untenable position of having to choose between their job and their family member(s). Since women make on average 80 cents on the dollar compared to men in Hawaii this places an even larger hardship on them.

And although some business lobbyists tend to cry poverty in regards to this program, it would in fact help Hawaii's businesses. Family leave insurance helps increase worker retention and loyalty. Workers who have access to family leave benefits are more likely to return to work after their leave is over. In a 10-year study of the California family leave insurance, businesses reported family leave had either a positive or a neutral effect on their business. Small businesses were **less** likely to report any negative effects.

The Institute for Women's Policy Research, which houses some of the nation's top experts on family leave, conducted an actuarial analysis using a simulation model to study the use and cost of family leave insurance for Hawaii. The study found that the annual cost to cover sixteen weeks of leave for a worker making \$48,000 would be around \$58. **That's only a little over one dollar per week.**

Stated simply, providing paid time off for family caregiving strongly promotes gender equity, a goal greatly desired by the Coalition. Please pass this common sense bill out of committee.

Mahalo for the opportunity to testify,

Ann S. Freed Co-Chair, Hawai'i Women's Coalition
Contact: annsfreed@gmail.com Phone: 808-623-5676



Aloha Chair Dela Cruz, Vice Chair Keith-Agaran, and members of the Senate Ways & Means Committee

On behalf of the nearly 600 registered members of the Young Progressives Demanding Action – Hawai‘i, I would like to express **strong support** for SB2990, which establishes a family leave insurance program—something our working families desperately need to help through this period of economic hardship.

Family leave insurance is not only good for Hawai‘i’s workers, it’s good for our businesses too. A family leave insurance program would enable workers to take time off during major life events, and helps businesses retain key employees and remain competitive. The Family and Medical Leave Act (FMLA) and Hawai‘i Family Leave Law (HFLL) leave out a significant portion of Hawai‘i’s workforce, and neither law offers paid time off from work. This means that even those who technically qualify for unpaid family leave under state or federal law may not be able to afford to take adequate time off to meet their family’s needs.

The FMLA—the only federal law designed to help working people meet the dual demands of job and family—leaves out 40 percent of the workforce and guarantees only unpaid leave, which millions cannot afford to take. Women, as primary caregivers of infants, children and elderly parents, are affected disproportionately by the unavailability of paid family and medical leave. Women are the primary or co-breadwinners for almost two-thirds of families in the U.S. This means that a woman’s income lost during maternity leave has a significant economic impact on her entire family.

In Hawai‘i, the majority of families are “working families” who cannot afford to take unpaid leave long enough to cover their caretaking needs—paid family leave alleviates economic instability for struggling families by ensuring job security. Nearly half of Hawai‘i’s families with children cannot afford basic needs. The number of children whose parents both work, or whose only parent works (nearly 66 percent of all children in the U.S.) has increased by 13 percent since the drafting of the FMLA in 1993.

In Hawai‘i, 7 in 10 children live in a household where both parents work, and over a quarter of children live in households headed by a single parent. Hawai‘i desperately needs a strong family leave insurance program to shore up the gaps in protection for working people.

We believe that a strong family leave insurance program should be based off of a social insurance model with no carve-outs (all employees should be covered, regardless of employer size); 16 weeks of paid leave from work to care for a new child (biological, adopted, or foster) or a sick/injured family member; a broad definition of “family” and a process to designate an individual as a family member for purposes of caregiving under this program.

A strong family leave insurance program should include job protection measures (workers won’t feel safe taking leave if they could lose their job because of it); progressive wage replacement for those who earn less than half of the average weekly wage to receive 90 percent of their weekly earnings, while middle-income to higher-income workers should receive 75 percent or 50 percent of their weekly earnings, with a weekly cap. This would ensure that low-income workers are able to access the program and that the fund remains sustainable.

A strong family leave insurance program would include a 50/50 employer/employee cost split. Employers should have the option of covering the entire insurance premium (estimated to be around \$5/month for the average worker under a social insurance model), but employers may require employees to contribute up to 50 percent of the premium cost.

We know that this can work in Hawai‘i. Top experts in the area of family leave insurance have studied usage, cost and feasibility of implementation of a family leave insurance program here. These studies, collectively, have found that family leave insurance is a necessary and cost-effective way for workers to take adequate time off of work to care for their families without facing financial ruin or jeopardizing their career.

Family leave insurance is affordable. An actuarial analysis using a simulation model to study the use and cost of family leave insurance for Hawai‘i found that the annual cost to cover 16 weeks of leave for a worker making \$48,000 would only be around \$58. That’s only a few dollars per paycheck.

Family leave insurance is good for businesses. Many of Hawai‘i’s workers are already taking unpaid time off to care for a child or family member. This benefit helps ensure that workers who need to take leave are able to remain economically secure during their leave and that they can return to their jobs. The actuarial measured both unpaid and paid leave-taking behavior, and found that the availability of family leave insurance would not dramatically increase the portion of Hawai‘i’s workforce taking leave each year. Qualifying life events for which leave can be taken are rare occurrences in one’s life. Family leave insurance also contributes to increased worker retention and loyalty. Workers who have access to family leave benefits are more likely to return to work after their leave is over.

Many businesses wish they could offer this benefit to their employees on their own, like many of their big corporation competitors. A state-run insurance fund creates an affordable solution that helps small businesses retain employees without incurring the cost of replacing wages for employees out on leave. Five other states and Washington, D.C. have passed family leave insurance laws. In a 10-year study of the California family leave insurance program, businesses reported family leave had either a positive or a neutral effect on their business. Small businesses were less likely to report any negative effects.

Hawai‘i’s families need flexibility to care for our kūpuna. Hawai‘i has more than 240,000 working age

adults who also serve as primary caregivers to a family member. By 2020, about 40 percent of the workforce will be providing care for older parents.

Family leave insurance promotes gender equity in the workplace and economic stability for women. Access to paid family leave makes mothers more likely to return to work after the birth of a child, allows women to return to work more quickly and makes women more likely to return to the same or higher wages than they were earning before they gave birth. Women who take paid parental leave and return to work are 39 percent less likely to receive public assistance and 40 percent less likely to receive food stamps than women who do not take paid leave and return to work. The availability of family leave insurance benefits leads to increased rates of breastfeeding, which has been shown to have long-term health benefits.

For these reasons, we hope this committee will pass SB2990 and continue to support the measure as it moves forward in the legislature.

Mahalo,

Will Caron
Social Justice Action Committee Chair
Young Progressives Demanding Action – Hawai‘i

eliminating racism
empowering women

ywca

O'ahu

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808.538.7061

ywcaoahu.org

To: Hawaii State Senate Committee on Ways and Means

Hearing Date/Time: Wednesday, February 28, 2018, 10:45AM
Hawaii State Capitol, Rm. 211

Position Statement Supporting Senate Bill 2990 SD1

Thank you Chair Dela Cruz, Vice Chair Keith-Agaran, and Committee members,

Thank you for the opportunity to testify in strong support of Senate Bill 2990, relating to family leave insurance.

Senate Bill 2990 would create a new family leave program and an implementation board to oversee the development and implementation of the program. The recently completed Department of Labor study on family leave in Hawaii will serve as a great resource as the board makes critical decisions on technology, staffing, and collection and payouts. Senate Bill 2990 provides a sound, working template for the board and we'd like to suggest amendments to make the board's work more clear. We suggest language be included to address reorganizing board members so that those who are truly part of the implementation serve on the board and others who have specialized skills or knowledge may serve as an invited speaker or guest.

The benefits of paid family leave are proven. We know the positive impact of family leave extend from the worker, to their family, to their business, and into their community. Because women are more likely to serve in a caregiving role, family leave is especially beneficial for them. Women are more likely to return to work after the birth of a child, to stay in their career instead of taking breaks to care for a parent and will have higher net earnings over their lifetime. We also know that businesses will see either a positive or neutral effect from the program. When these major life events happen, a worker will take time off regardless of paid leave, but they may not always come back. Businesses will no longer lose their talented and trained employees because they could not afford to include paid leave in their benefits package. Instead, their workers will be covered through a state program that allows all workers to take necessary time off.

Hawaii's workers and businesses need family leave insurance. A family leave insurance program enables workers to take time off during major life events and helps businesses retain key employees and remain competitive. Thank you for the opportunity to testify in support of Senate Bill 2990 SD1.

Kathleen Algire
Director, Public Policy and Advocacy
YWCA O'ahu

YWCA IS ON A MISSION

LATE



Supporting SB 2990 – Relating to Family Leave Senate Committee on Labor Scheduled for hearing at Wednesday, February 28, 2018, 10:45 AM, in Conference Room 211

YPDA testifies in **SUPPORT** of SB2990. We want to show that we're genuinely concerned about the health and wellbeing of people, we have to think strongly about enacting a robust paid family leave program. Workers should not feel the need to sacrifice their career in order to take care of a loved one or to have a child; family members and prospective parents should not need to sacrifice their families in order to have a career. A paid family leave program demonstrates to its citizens a government's commitment to healthy families, and if done correctly, can lead to a stronger economy as well. A robust family leave program means that a person who needs to attend to family matters can return to work more comfortably and confidently. A robust family leave program means that someone with a career can comfortably and confidently take a few months leave to take care of a sick loved one or have a child.

With paid family leave, people feel a stronger attachment to the labor force, which makes it easier for people to find work after they take leave. Paid family leave increases job continuity, and is associated with a higher probability of returning to work and employment. This benefits of paid family leave and the stronger labor force attachment have long-term effects, as research shows that children, particularly those from disadvantaged families, have improved educational and career outcomes, long after their parents took time off to care for them at birth.

Paid family leave can also improve infant health by encouraging parents to not delay starting families. Paid family leave means prospective parents no longer need to be as far into their career to ensure job security, meaning paid family leave reduces delayed childbearing, improving the health of the baby. The health of the baby is also improved by the extended time mothers and fathers take caring for the baby immediately after childbirth, including an increase in exclusive and inclusive breastfeeding. Breastfeeding is strongly linked to better health outcomes for the baby.

The benefits of paid family leave are not limited to families and households; employers benefit from paid family leave as well. Various surveys of firms after the implementation of paid family leave show no significant negative effect to turnover rates or employee productivity. One study actually shows a lower per-worker wage bill and a lower turnover rate after paid family leave was enacted.

A paid family leave program is important to having healthy families and a healthy economy. Passing SB2990 is an important first step in ensuring that Hawaii can provide families peace of mind when it comes to an illness in the family or having a baby.

Thank you for your consideration.

Date: February 28, 2018

To: Senate Committee on Ways and Means
Senator Donovan Dela Cruz
Senator Gilbert Keith-Agaran, Vice Chair

From: NASW Hawai'i Chapter

RE: Testimony in Support of SB. 2990 SD1, Relating to Family Leave

Dear Chair Dela Cruz, Vice Chair Keith-Agaran, and members of the Committee,

The National Association of Social Workers-Hawai'i Chapter strongly supports SB 2990 SD1. SB2990 SD1. This bill would establish an implementation task force with a goal to establish a system by 2020 and we want to ensure strong support for the timely, comprehensive implementation of a program that provides an adequate amount of leave. Allowing 16 weeks of leave would only cost around \$58 per year (\$1.11 per week) to cover a worker making \$48,000 annually.

A thorough actuarial study conducted for Hawaii in 2017 as part of a U.S. Dept. of Labor grant calculated usage, cost, and feasibility of the implementation of a family leave insurance program in Hawaii. The data concluded that family leave insurance is both necessary and cost-effective for workers to take off adequate time to care for their families without facing financial ruin.

Paid parental leave has long term positive health effects for both child and parents, it can help increase the rate and duration of breastfeeding and reduce the rate of postpartum depression, reducing infant mortality by increasing access to well-baby visits and vaccines

It also has positive economic and workforce impacts it has been shown to reduce employee turnover, boost morale and increase productivity. Workers who have access to family leave benefits are more likely to return to work after their leave is over. Workers receiving paid leave benefits are also less likely to rely upon other public assistance benefits, such as SNAP and TANF.

Family leave needs to be a flexible and non-burdensome combination of employee and employer contributions, while providing wage replacement insurance for the birth, adoption, or fostering of a child, including leave for caregiving for a family member's serious health condition(s), and/or a service member's qualifying exigency.

Sonja Bigalke-Bannan, MSW, LSW
Executive Director
National Association of Social Workers, Hawai'i Chapter



LATE

Testimony to the
Senate Committee on Ways and Means
February 28, 2018
10:45 a.m.
State Capitol - Conference Room 211

RE: SB 2990 SD1 Relating to Family Leave

Aloha Chair Dela Cruz, Vice Chair Keith-Agaran and members of the committee:

On behalf of the Society for Human Resource Management – Hawaii Chapter (“SHRM Hawaii”), we are writing in opposition to SB 2990 SD1, relating to family leave, which requires the Department of Labor and Industrial Relations to adopt rules by 1/1/2020 that establish paid family leave for all workers.

SHRM Hawaii has a long-standing position in favor of workplace flexibility initiatives. We believe that proposals to establish paid leave requirements do not promote flexibility and that they have the potential to conflict with federal, state and local requirements and laws.

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.





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facebook.com/AARPHawaii

Senate Committee on Ways and Means
Wednesday, February 28, 2018
10:45 p.m.
Conference Room 211

To: Senator Donovan Dela Cruz, Chair
Re: S.B. No. 2990, S.D. 1, Relating to Family Leave

Dear Chair Dela Cruz, Vice-Chair Keith-Agaran, and Members of the Committee,

My name is Kerry M. Komatsubara and I am the Advocacy Director for AARP Hawaii. AARP is a membership organization of people age fifty and over with about 150,000 members in Hawaii. AARP advocates for issues that matter to Hawaii families and we strive to serve as a reliable information source on issues critical to people over the age of fifty.

The Need for Paid Family Leave

Family caregivers are the backbone of Hawaii's long term care system. They are the first line of assistance for most people, helping to make it possible for older adults and people with disabilities to remain at home, and out of costly, taxpayer-funded institutions like nursing homes.

Working family caregivers have varying leave needs. Whether they work full time or part time, they must often divert attention away from their jobs to make work-related adjustments to accommodate the needs of the person who needs care. The vast majority (74 percent) of family caregivers have worked at a paying job at some point during their caregiving experience, and most (58 percent) are currently employed either full-time or part-time, setting up a stressful juggling act between work, their caregiving role, and other family responsibilities. And when work requirements conflict with family obligations, some employed family caregivers have to make difficult decisions that can lead to lost wages and missed career opportunities.

The practical reality is that many workers in Hawaii, struggling to make ends meet from paycheck to paycheck, simply cannot afford to take unpaid leave. We support paid family leave in Hawaii because we believe family caregivers should not have to choose between taking care of mom or dad, or losing a paycheck, or even risk losing their job.

Arriving at a Workable Program

AARP Hawaii supports the concept of paid family leave in Hawaii, and we believe that S.B. No. 2990, S.D. 1 is a sensible approach to "lay the groundwork to implement a paid family leave framework of laws and policies so that all employees can access leave benefits during times when they need to provide care for a family member." (Citing the last paragraph of Section 1 of S.B. No. 2990, S.D. 1.) We urge this Committee to take favorable action on this bill.

Thank you for the opportunity to present this testimony on S.B. No. 2990, S.D. 1.

AARP
Real Possibilities



**Testimony to the Senate Committee on Ways and Means
Wednesday, February 28, 2018 at 10:45 A.M.
Conference Room 211, State Capitol**

RE: SENATE BILL 2990 SD1 RELATING TO FAMILY LEAVE

Chair Dela Cruz, Vice Chair Keith-Agaran, and Members of the Committee:

The Chamber of Commerce Hawaii ("The Chamber") **opposes** SB 2990 SD1, which Requires the Department of Labor and Industrial Relations to adopt rules by 1/1/2020 that establish paid family leave for all workers. Authorizes the department to adopt interim rules. Establishes the paid family leave implementation task force to assist the department and report to the Legislature. Establishes a paid family leave special fund. Appropriates moneys.

The Chamber is Hawaii's leading statewide business advocacy organization, representing 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 understand the intent of this bill to allow for paid leave in the workplace and agree that citizens need to balance the needs of work and family. Also, we appreciate the effort to bring different stakeholders together to come up with a paid family leave program. However, we do not support this bill.

As many national rankings have shown, the cost of doing and running a business is extremely high. With every additional workplace mandate, the competitive distance is increased, which in turn, affects the ability for employers to sustain and create jobs, as well as provide benefits to employees. While we do not know yet what the program will entail and who will pay for the benefit until the task force meets, we do know that the business community will ultimately be responsible to execute and shoulder at a minimum, some costs.

We need policies that will help Hawaii bring new businesses and support those in existence. Many employers offer paid leave programs as a means for attracting and retaining their workforce especially with our low unemployment rate. Rather than mandating, we suggest encouraging businesses to adopt their own innovative paid leave programs.

The Chamber respectfully asks that this bill be deferred. Thank you for the opportunity to testify.



February 25, 2018

Senator Donovan M. Dela Cruz
Senator Gilbert S.C. Keith-Agaran
Senate Committee on Ways and Means

Re: S.B. 2990 Relating to Family Leave

Hearing: Tuesday, February 27, 2018, 10:45 am, Room 308

Dear Chair Dela Cruz, Vice Chair Keith-Agaran and Members of the Committee on Ways and Means:

Hawaii Women Lawyers submits testimony in **strong support** of H.B. 2598, H.D.1. This measure ensures a paid family leave special fund and lays the groundwork to implement a paid family leave framework of law and policies so that all employees can access leave benefits during times when they need to provide care for a family member.

This bill is exceptionally important as Hawaii now is expected to have the highest growth rate (over 80 percent by 2030) of the elderly in the United States. Women are predominantly the primary caregivers of infants, children and their elder family members in our society. The time and money required to provide this care can be staggering. Women caregivers are more likely to either leave the workforce completely, or opt to work part-time, than their male counterparts if they must take over primary caregiver responsibility. This further exacerbates the already existing wage discrepancy for women. Paid family leave is a necessary and cost-effective way for caregivers to take leave from work to care for their families without facing significant financial or career implications.

The mission of Hawaii Women Lawyers is to improve the lives and careers of women in all aspects of the legal profession, influence the future of the legal profession, and enhance the status of women and promote equal opportunities for all.

Hawaii Women Lawyers supports this measure because it moves forward a system to support women who are the predominant primary caregivers of infants, children, and their aging parents. Paid family leave is also likely to encourage loyalty for women to remain in their careers. This measure will begin the necessary steps to frame and implement a sound family leave policy to protect and preserve Hawaii families' health and financial stability. For this reason, we respectfully request that the Committee pass H.B. 2598, H.D.1.

Thank you for the opportunity to testify in strong support of this measure.

P.O. Box 2072 • Honolulu, Hawaii 96805
Email: hawaiiwomenlawyers@gmail.com

SB-2990-SD-1

Submitted on: 2/27/2018 10:33:27 AM

Testimony for WAM on 2/28/2018 10:45:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Katja Bajema	Testifying for BEST Birth Hawaii, Pregnancy Center & Doula Agency	Support	No

Comments:

Dear Chair Dela Cruz, Vice Chair Keith-Agaran, and committee members,

I am writing in strong support of SB 2990, SD1. My name is Katja Bajema, I am a mother of 3 and own BEST Birth Hawaii, a pregnancy center and doula agency in Honolulu. I work with families throughout their childbearing years, but mostly see them from their 2nd trimester up until mothers have to go back to work.

In my professional experience the time that mothers get to care for their newborn babies and adjust to their new roles is much too short. Many women set out to breastfeed their babies, which we know has many health benefits and is best for babies and ultimately out society. However, many mothers and babies struggle (about 90%) and need a good 4-8 weeks to get things working well. Many mothers have to go back to work around that same time, feeling pressure to start pumping sooner than they are ready and ultimately unable to keep up their supply and having to switch to formula.

In addition, the stresses of having a new baby, breastfeeding challenges, financial worries, and job related pressures all contribute to a high rate of postpartum depression in our mothers. This then results in diconnceted parenting and leads to both mother and baby not being healthy, both mentally and physically, which then in turn can have long term effects on our society.

The point I am trying to make is that it is our joined resonsibility to make sure parents, especially mothers in the early months, can care for their children and focus on their needs without worrying about the loss of money while they are doing it or even loss of a job if they need a little more time. Our society will benefit as a whole when we take care of families so they can care for themselves.

Thank you for your time.

Aloha, Katja Bajema CD(DONA), CLC, ICCE



LATE

Board of Directors:

Senate Committee on Ways & Means

Hawaii Alliance for Progressive Action Supports SB 2990, SD1

Gary L. Hooser
President

Dear Chair Dela Cruz, Vice Chair Keith-Agaran, and committee members,

Andrea N. Brower
Ikaika M. Hussey
Co-Vice Presidents

On behalf the Hawai'i Alliance for Progressive Action (HAPA) I am writing in strong support of SB 2990, SD1, which would require the Department of Labor and Industrial Relations to establish paid family leave for all workers by 2020, with workers receiving benefits by 2022. The measure would also establish the Paid Family Leave Implementation Board to assist the Department, and would require the Legislative Reference Bureau to conduct a study on the implementation of paid family leave.

Kim Coco Iwamoto
Treasurer

Bart E. Dame
Secretary

HAPA is a statewide environmental, social and economic justice organization. HAPA engages over 10,000 local residents annually through our work.

Paul Achitoff
Malia K. Chun
Laura Harrelson
Katie McMillan

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 Hawaii 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.

Walter Ritte Jr.
Karen Shishido
Leslie Malu Shizue Miki
Kekaulike Prosper Tomich
Cade Watanabe

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.



SB 2990, SD1 would help working families by requiring the Department of Labor and Industrial Relations to develop a paid family leave program that would provide:

- 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
- Progressive 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 Program, all families and the community will benefit.

Mahalo for your consideration.

Best Regards,

Anne Frederick, Executive Director
Hawai'i Alliance for Progressive Action (HAPA)

1065 Ahua Street
Honolulu, HI 96819
Phone: 808-833-1681 FAX: 839-4167
Email: info@gcawhawaii.org
Website: www.gcawhawaii.org



GCA of Hawaii

GENERAL CONTRACTORS ASSOCIATION OF HAWAII

Quality People. Quality Projects.

Uploaded via Capitol Website

February 28, 2018

LATE

TO: HONORABLE DONOVAN DELA CRUZ, CHAIR, HONORABLE KEITH AGARAN, VICE CHAIR, SENATE COMMITTEE ON WAYS AND MEANS

SUBJECT: **COMMENTS REGARDING S.B. 2990, SD1, RELATING TO FAMILY LEAVE.** Requires the Department of Labor and Industrial Relations to adopt rules by 1/1/2020 that establish paid family leave for all workers. Authorizes the department to adopt interim rules. Establishes the paid family leave implementation board to assist the department and report to the Legislature. Establishes a paid family leave special fund. Appropriates funds. (SD1)

PUBLIC DECISION MAKING

DATE: Wednesday, February 28, 2018
TIME: 10:45 AM
PLACE: Capitol Room 211

Dear Chair Donovan Dela Cruz, Vice Chair Gil Keith Agaran and Members of the Committee,

The General Contractors Association (GCA) is an organization comprised of over 500 general contractors, subcontractors, and construction related firms. The GCA was established in 1932 and is the largest construction association in the State of Hawaii. GCA's mission is to represent its members in all matters related to the construction industry, while improving the quality of construction and protecting the public interest.

S.B. 2990, SD1 proposes to require a public and privately funded Paid Family Leave Special Fund – which will be able to study the various issues surrounding Paid Family Leave before implementation or mandating such program. The bill also proposes to allow the department to adopt rules that codify paid family leave for all workers in the state, while also allowing temporary rules (exempt from Chapter 91, HRS) to be implemented. GCA would prefer that any interim rules not be exempt from Chapter 91 – to allow public input to any interim administrative rules that may directly impact employers.

GCA remains concerned about some of the guidance of this measure and some of the questions that have come up include: If the fund is established how will they monitor the use of the fund? If everyone will have access to the fund once it's established could it lead to potential abuse? Also how will parties determine access to the funds when there is a shortfall? Some employers already provide sick leave and paid time off that can be used for whatever purpose employees want however this proposal may mandate a paid family leave fund that all must contribute to? What happens if all employees want to access it since they are paying into it?

It is evident that businesses, even in Hawaii, are turning more and more to technology to replace the traditional employee, part of it may be due to the increased costs associated with employee mandated benefits which make doing business more expensive and less cost effective for the end consumer. GCA requests this Committee to take those instances into consideration before adding more employee mandated benefits.

While GCA understands the intent of this measure, any proposed mandate that could potentially impact the ability for a small business to operate and even hire employees should be studied very carefully before adoption. Particular attention should be considered of certain industries like the construction industry, who for the most part, provide their employees with a sufficient wage and benefits package including vacation, medical, health and welfare and other incentives for retention purposes. Pay for absences due to illness are required under the Temporary Disability Insurance law. Further many employers provide family and medical leave benefits over and above the statutory requirement as an additional benefit.

S.B. 2990, SD1 would allow both employers and employees to further study the matter and compare a medical or family leave program with other states and the federal government. Contractors that do business on federal projects are attempting to comply with the Federal mandates on family and medical leave and if anything request that the policies at the very minimum align with any federal mandates on this matter.

Thank you for the opportunity to share our comments.

LATE

SB-2990-SD-1

Submitted on: 2/28/2018 10:25:45 AM

Testimony for WAM on 2/28/2018 10:45:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Susan J. Wurtzburg	Testifying for American Association of University Women, Hawaii	Support	No

Comments:

AAUW-Hawaii supports this bill with the request that any resulting program guarantee 16 weeks of paid leave and be structured as social insurance. I have seen the data and they strongly support the viability of this type of program. Please pass this bill which will have significant impacts for women and families in Hawaii



To: The Honorable Donovan Dela Cruz, Chair
The Honorable Gilbert Keith-Agaran, Vice Chair
Members of the Senate Committee on Ways and Means

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

Re: **STRONG SUPPORT for SB 2990 SD1, Relating to Family Leave**

Hrg: February 6, 2018 at 8:30 am at Conference Room 309

LATE

Thank you for the opportunity to testify in strong support of SB 2990 SD1, Relating to Family Leave.

Created by the legislature in 2012, the Obesity Prevention Task Force is comprised of over 40 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.

HIPHI is in strong support of Hawaii enacting a Paid Family Leave law. 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, provide care for family members when they need it most, and offer job protection so that an employee would not be afraid to take time off.

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.¹ 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.²

"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)."³

Five other states and Washington D.C. have passed family leave insurance laws. 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

¹ 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).

² 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).

³ http://www.nccp.org/publications/pdf/text_1059.pdf

report little negative consequences after the law was enacted and these laws are revenue neutral to the state.

Paid family leave can work in Hawaii. Top experts in the area of family leave studied usage, cost, and feasibility of implementation of a family leave insurance program for Hawaii. These studies collectively found that family leave insurance is a necessary and cost-effective way for workers to take adequate time off of work to care for their families without financial ruin. In addition, an actuarial analysis using a simulation model to study the use and cost of family leave insurance for Hawaii found that the annual cost to cover sixteen weeks of leave for an employee making \$48,000 would be around \$58.

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.

Thank you for the opportunity to provide testimony and recommendations.

Mahalo,

A handwritten signature in black ink that reads "Jessica Yamauchi". The signature is written in a cursive, flowing style.

Jessica Yamauchi, MA
Executive Director, HIPHI



February 28, 2018

To: Senator Donovan Dela Cruz, Chair
Senator Gilbert Keith-Agaran, Vice Chair and
Members of the Committee on Ways and Means

From: Jeanne Y. Ohta, Co-Chair

RE: SB 2990 SD1 Relating to Paid Family Leave
Hearing: Wednesday, February 28, 2018, 10:45 a.m., Room 211

POSITION: Strong Support

The Hawai'i State Democratic Women's Caucus writes in strong support of SB 2350 Relating to Family Leave. Hawaii's workers and businesses need family leave insurance. A family leave insurance program enables workers to take time off during major life events and helps businesses retain key employees and remain competitive. The Family and Medical Leave Act (FMLA) and Hawaii Family Leave Law (HFLL) leave out a significant portion of Hawaii's workforce, and neither law offers paid time off from work. This means that even those who technically qualify for unpaid family leave under state or federal law may not be able to afford to take adequate time off to meet their family's needs.

Family leave insurance promotes gender equity in the workplace and economic stability for women. Access to paid family leave makes mothers more likely to return to work after the birth of a child, makes women return to work more quickly, and makes women more likely to return to the same or higher wages than they were earning before they gave birth.

Paid family leave encourages women to participate in the workforce. With Hawaii's extremely low unemployment rate, businesses have a shortage of employees. Encouraging additional labor participation is good business and is good for Hawaii's economy.

Women who take paid parental leave and return to work are 39% less likely to receive public assistance and 40% less likely to receive food stamps than women who do not take paid leave and return to work. The availability of family leave insurance benefits leads to increased rates of breastfeeding, which has been shown to have long-term health benefits.

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 that the committee pass this measure and we thank the committee for the opportunity to provide testimony.



CARING ACROSS GENERATIONS

Chair Donovan M. Dela Cruz
Vice Chair Gilbert S.C. Keith-Agaran
Senate Committee on Ways and Means

February 28, 2018, 10:45 AM, Room 211

TESTIMONY IN SUPPORT OF SB 2990, SD1 – Relating to Family Leave

Caring Across Generations in strong support of Senate Bill 2990, Senate Draft 1.

Caring Across Generations is a national movement of families, caregivers, people with disabilities and aging Americans working to transform the way we care in this country, calling for policy solutions that enable all of us to live and age with dignity and independence. Caring Across Generations has worked with partners in Hawai'i for years in support of legislation that will help make quality long-term care accessible to everyone.

Paid family leave is a necessary and affordable benefit that assists families to provide care for their loved ones, promotes worker retention, economic stability for working families, gender equity in the workplace, positive infant health outcomes, and reduces caregiver burnout.

Hawaii has the fastest growing aging population in the nation. Our senior (age 65+) population is expected to grow 81 percent by 2030. Approximately 247,000 Hawaii workers serve as the primary caregiver for a family member. Paid family leave would allow these workers to care for their family members without compromising economic stability.

Paid family leave would also compliment our currently existing programs that help family caregivers of the elderly. While the paid family leave program will assist caregivers who need to temporarily leave work due to episodic or crisis situations, the Kupuna Caregivers program could assist working caregivers to return to work quickly while still having access to caregiver assistance.

It is especially critical to include the progressive wage replacement to ensure that low-income workers are able to access the program. Those who earn less than half of the average weekly

wage should receive 90% of their weekly earnings, while middle-income to higher-income workers should receive 75% or 50% of their weekly earnings, with a weekly cap.

Because of the reasons stated above and many others, we are in strong support of senate Bill 2990, Senate Draft 1.

Thank you for considering my testimony.

Sincerely,

Pedro Haro
Hawai'i Advocacy Director
Caring Across Generations
pedro@caringacross.org



AMERICANS FOR DEMOCRATIC ACTION

OFFICERS	DIRECTORS			MAILING ADDRESS
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Karin Gill, Secretary	Chuck Huxel	Doug Pyle		

February 26, 2018

TO: Honorable Chairs Tokuda and Members of the Labor Committee

RE: SB 2990 SD1 Relating to Family Leave

Support for hearing on Feb 28

Americans for Democratic Action is an organization founded in the 1950s by leading supporters of the New Deal and led by Patsy Mink in the 1970s. We are devoted to the promotion of progressive public policies.

We support SB 2990 SD1 as it would establish a program for paid family leave insurance. Our organization had a high school intern a couple of years ago named Nick Chang. He spent the summer trying to find out what policy change would do the most to reduce the gap between the wages of men and women in Hawai'i. His answer was paid family leave insurance. This does not cover the other benefits of this program for children and other family members who need care. Although this program may ultimately have a small cost to workers and/or employers, it would have great benefits for families in need.

Thank you for your favorable consideration.

Sincerely,

John Bickel
President

SB-2990-SD-1

Submitted on: 2/26/2018 8:29:52 AM

Testimony for WAM on 2/28/2018 10:45:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kat Brady	Testifying for Community Alliance on Prisons	Support	Yes

Comments:

IBEW1260

‘A‘OHE HANA NUI KE ALU ‘IA

February 28, 2018

The Twenty-Ninth Legislature
Hawaii State Senate
Committee on Ways and Means

SB2990 - RELATING TO FAMILY LEAVE

Chair Dela Cruz, Vice Chair Keith-Agaran and Members of the Committee,

The International Brotherhood of Electrical Workers Local Union 1260, AFL-CIO (IBEW1260), represents more than 3500 members, has advocated for all workers in the State of Hawaii for over seventy-five years and respectfully offers the following testimony in **STRONG SUPPORT** of Senate Bill 2990 (SB2990).

The majority of Hawaii's working families are not afforded adequate amounts of paid leave causing financial hardship and increased dependency on public assistance during times of illness or caregiving. Therefore, it is incumbent upon the Legislature to ensure a path towards paid family leave which will serve to improve the lives of Hawaii's working families and IBEW1260 respectfully ask the Committee **SUPPORT SB2990**.

Mahalo for the opportunity to testify on this issue.

Respectfully,



Michael M. Brittain
Asst. Business Manager
IBEW2160 / AFL-CIO

SB-2990-SD-1

Submitted on: 2/26/2018 6:35:07 AM

Testimony for WAM on 2/28/2018 10:45:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
ELIZABETH A HILLER VALENTIN	Testifying for PROJECT VISION HAWAII	Support	No

Comments:

Aloha Honorable Chair Senator Dela Cruz and members of the WAM Committee,

As a nonprofit executive, I support SB 2990. I want my employees to be able to care for their families and continue to pay their rent or put food on their table

I was lucky enough to have paid leave available to me as well as make it available to my staff. I support SB 2990.

Sincerely,

Annie Valentin



LATE

Committee: Senate Committee on Ways and Means
Hearing Date/Time: Wednesday, February 28, 2018, 10:45 a.m.
Place: Conference Room 211
Re: Testimony of the ACLU of Hawai'i in Support of S.B. 2990, S.D. 1, Relating to Family Leave

Dear Chair Dela Cruz, Vice Chair Keith-Agaran, and Committee Members:

The American Civil Liberties Union of Hawai'i writes in strong support S.B. 2990, S.D. 1, which would require the Department of Labor and Industrial Relations to establish paid family leave for all workers by 2020, with workers receiving benefits by 2022. The bill would also establish the Paid Family Leave Implementation Board to assist the Department and would require the Legislative Reference Bureau to conduct a study on the implementation of paid family leave.

Federal law gives employees of large companies 12 weeks of unpaid leave, but with half of the people in Hawai'i and 59 percent of households with children living paycheck to paycheck,¹ very few people can afford taking days off from work to take care of their loved ones. Instead, workers often must choose between providing essential care to an infant or incapacitated parent and bringing home a paycheck. As Joan Williams has put it, such workers are often "one sick child away from being fired."

In Hawai'i, the most vulnerable workers are low-income earners and hourly workers, who are disproportionately Native Hawaiian and Filipino,² and who are overwhelmingly women.³ Nationally, women provide the majority of unpaid care at home, despite also being the primary breadwinner in 40 percent of families with children. For women, having a child without job security is a gamble that can lead to eviction or bankruptcy. Debt accrued during parental leave can take years to shake, making it even harder to break the cycle of poverty and close the income gap. And the risks are only exacerbated for women of color, who earn almost half for every dollar earned by white men — and who are less likely to receive paid family leave than other workers.

Paid family leave is, first and foremost, about equal opportunity for all. And for that reason, lawmakers must recognize that paid family leave is a civil rights issue.

S.B. 2990, S.D. 1, will ensure that people in Hawai'i will no longer have to choose between caring for their loved ones and keeping their jobs. The benefit will have the greatest impact on the state's most vulnerable

¹ Hawai'i Appleseed Center for Law and Economic Justice, *Struggling to Make Ends Meet* at 2-3 (Mar. 2017), available at <http://hiappleseed.org/wp-content/uploads/2016/01/EITC-poll-report.pdf>.

² *Id.*

³ Talk Poverty, *State Year Report*, Hawai'i statistics (2017), available at <https://talkpoverty.org/state-year-report/hawaii-2017-report/>.

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workers—women of color and low-income workers. We encourage your Committee to uphold the values of fairness and equal opportunity by passing S.B. 2990, S.D. 1.

Thank you for the opportunity to testify.

Sincerely,



Mateo Caballero
Legal Director
ACLU of Hawai'i

The mission of the ACLU of Hawai'i is to protect the fundamental freedoms enshrined in the U.S. and State Constitutions. The ACLU of Hawai'i fulfills this through legislative, litigation, and public education programs statewide. The ACLU of Hawai'i is a non-partisan and private non-profit organization that provides its services at no cost to the public and does not accept government funds. The ACLU of Hawai'i has been serving Hawai'i for 50 years.

SB-2990-SD-1

Submitted on: 2/26/2018 10:48:07 AM

Testimony for WAM on 2/28/2018 10:45:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Mele Spencer	Individual	Support	No

Comments:

SB 2990, SD1 would help working families by requiring the Department of Labor and Industrial Relations to develop a paid family leave program that would provide:

- 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
- Progressive 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 Program, all families and the community will benefit.

SB-2990-SD-1

Submitted on: 2/24/2018 4:23:20 PM

Testimony for WAM on 2/28/2018 10:45:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Nicole A Velasco	Individual	Support	No

Comments:

As a member of YWCA O'ahu advocacy committee, I support SB 2990. Access to paid family leave benefits our workers, their families, and our community. I urge you to pass SB 2990.

Mahalo,

Nicole A. Velasco

SB-2990-SD-1

Submitted on: 2/25/2018 4:56:01 PM

Testimony for WAM on 2/28/2018 10:45:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Teri Heede	Individual	Support	No

Comments:

SB-2990-SD-1

Submitted on: 2/24/2018 7:33:38 PM

Testimony for WAM on 2/28/2018 10:45:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Doris Segal Matsunaga	Individual	Support	No

Comments:

SB-2990-SD-1

Submitted on: 2/24/2018 7:05:36 PM

Testimony for WAM on 2/28/2018 10:45:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Joy Marshall	Individual	Support	No

Comments:

SB-2990-SD-1

Submitted on: 2/24/2018 7:47:04 AM

Testimony for WAM on 2/28/2018 10:45:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Randy Ching	Individual	Support	No

Comments:

Chair DelaCruz, Vice Chair Keith-Agaran and members of the committee:

I am in support of SB2990 SD1. Paid family leave is important to our families and to our ohana. Our moms give birth and newborns need their attention, our children get sick, our parents need care, emergencies require taking time off from work. This bill would give employees more peace of mind and the opportunity to spend time with loved ones when crises arise.

Please pass SB2990 SD1. Mahalo for the opportunity to testify.

Randy Ching / Honolulu

SB-2990-SD-1

Submitted on: 2/26/2018 9:47:14 AM

Testimony for WAM on 2/28/2018 10:45:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Paul Gauci	Individual	Support	No

Comments:

My name is Paul Gauci and I am submitting personal testimony in support of HB 2598 which would establish a Family Leave Insurance Program to provide all workers with paid time off to address family needs, whether it is to care for a newborn child or an elderly family member. This is highly needed in our state especially with us having the fastest growing aging population in the nation. A public poll shows that the majority of Hawaii respondents reported wanting to take leave in the past to care for a family member. Research has also shown that a Family Leave Insurance program would not only benefit individual workers and their families, it would also benefit businesses and our economy. Having a Family Leave Insurance program would eliminate the need for workers to choose between their family member's health and their income or jobs. I respectfully request the Committee to pass this measure and thank you for the opportunity to share my support for HB 2598.

SB-2990-SD-1

Submitted on: 2/26/2018 10:22:43 AM

Testimony for WAM on 2/28/2018 10:45:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Terez Amato Lindsey	Individual	Support	No

Comments:

Please pass this measure that well behalf so many hawaii family. I would only encourage the legislature to make it a paid family and medical leave bill. Thank you, Tetez Amato Lindsey, Kihei

SB-2990-SD-1

Submitted on: 2/26/2018 10:27:54 AM

Testimony for WAM on 2/28/2018 10:45:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Javier Mendez-Alvarez	Individual	Support	No

Comments:

SB-2990-SD-1

Submitted on: 2/26/2018 10:37:25 AM

Testimony for WAM on 2/28/2018 10:45:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Josephine	Individual	Support	No

Comments:

SB-2990-SD-1

Submitted on: 2/26/2018 9:27:15 PM

Testimony for WAM on 2/28/2018 10:45:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Lea Minton	Individual	Support	No

Comments:

I am in STRONG SUPPORT of SB2290 SD1 and I urge you to pass this bill. I have cared for clients going back to work the day after delivering a baby in order to maintain their job. As our maternal mortality rate increases in the US we need to think about how we are ensuring protections for our mothers? Partners need time off as well to not only assist the mother and new child, but to also to protect their own health and validate their own desires and importance in participating in the growth of their family. Without paid family leave for everyone we are saying women must either do it alone with no help or work to have someone else do it for them. How is that ensuring our keiki are nurtured in the beginning of their lives? So many families in Hawaii are also caring for elderly or disabled parents as well as taking care of their growing families. We need to ensure that families have time to care for the health of loved ones without losing their jobs.

A friend of mine whose child was diagnosed with cancer at age 4 had to quit work in order to care for her and stay in the hospital with her on multiple occasions. This put a financial burden on the family, and they felt they had no other choice as her place of employment did not qualify for unpaid family leave. A friend of mine's mother diagnosed with cancer luckily was able to take sick days that she had accrued to have a week off while undergoing surgery. While having radiation and chemo she was forced to continue working in order to maintain her job. She was unable to access unpaid leave as her job did not qualify.

We must stop the inhumane treatment of the people of Hawaii. It is time to say we care about our community enough to help each other during these hard times. We all go through them at some point in our lives, whether personally or with family members. No one is exempt. And that is why we must make family leave insurance universal.

Thank you for your time in hearing this important matter and I urge you to pass SB2990 SD1.

SB-2990-SD-1

Submitted on: 2/27/2018 9:02:07 AM

Testimony for WAM on 2/28/2018 10:45:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jeanne Kapela	Individual	Support	No

Comments:

Aloha Chair Dela Cruz and members of the committee,

We must finally establish a family leave insurance program for Hawai'i's workers, with up to 16 weeks of paid time off to address family needs, including keiki and kupuna care.

In a 2017 public poll, 62 percent of Hawai'i respondents reported that they had wanted to use family leave at some point to care for a new child or family member. Yet, the federal Family Medical Leave Act leaves out 40 percent of the state's workforce and only provides for unpaid leave of up to 12 weeks for employers with 50 or more employees, while the Hawai'i Family Leave Law only applies to employers with 100 or more employees and allows only up to four weeks of unpaid leave.

The Institute for Women's Policy Research found that the annual cost to cover 16 weeks of leave for a worker making \$48,000 in our state would be roughly \$58, a little over one dollar per week. It's a stark reality when employees face the dire choice of caring for newborn or sick children, spouses, or parents, or working to sustain their family's income. We must offer a solution that empowers workers to balance work with caring for their families.

SB-2990-SD-1

Submitted on: 2/27/2018 9:15:45 AM

Testimony for WAM on 2/28/2018 10:45:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Franny Brewer	Individual	Support	No

Comments:

For the sake of Hawaii families, including my own, I support this important legislation. Please commit to supporting Hawaii's families who face unexpected challenges by voting in favor of SB2990.

SB-2990-SD-1

Submitted on: 2/27/2018 1:34:24 PM

Testimony for WAM on 2/28/2018 10:45:00 AM

LATE

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

Comments:

I am writing in strong support of SB2990 SD1, which would establish a paid family leave program in Hawaii.

My name is Becky Gardner. I am a state employee; however, my testimony does not represent any views or position my office may or may not have. It is based upon my personal views alone.

Ironically, it has been during my employment with the state - from 2006 to the present – that I also found myself in another new role: primary caretaker for several members of my family. After graduating from law school in 2006, I was newly saddled with hefty student loan debt. Making an income was imperative. But so too was caring for my new family.

Had a paid family leave program been in place, I would have invoked these benefits at the birth of both my daughters; and for the treatment period immediately prior to the deaths of both my mother and grandmother.

As the primary caretaker and sole food source of my newborns, I felt it necessary to take at least 4 months off of work - roughly the maximum amount of family leave possible in Hawaii - because frankly, 4 months is barely the minimum necessary to recover from childbirth, let alone bond with and nurse a newborn baby. Some of my leave was taken under Temporary Disability Insurance (TDI), which to me is so backwards. Why should my “ability” to carry and birth a child be rendered a “disability” to get assistance?

When my mother was unexpectedly diagnosed with uterine cancer, her chemotherapy and other treatments became so prolonged, aggressive, unpredictable, and physically debilitating, I spent 6 months caring for her (while also caring for my one-year-old baby).

When my elderly grandmother passed, I was fortunate to actually already be on family leave for the birth of my 2nd daughter. I was therefore able to help my father provide round-the-clock care for grandmother, while he too was experiencing his own troubling health issues that needed assistance.

I share this, reluctant that I may represent the kind of “high-risk” that both employers and insurance pools would like to avoid. My ‘sandwich generation’ profile, as both mother, daughter, and granddaughter of vulnerable family members needing care may somehow serve as proof that an investment in me, as an employee, is a liability. A public charge, in a sense, if such a publicly mandated family leave insurance program were in place.

Nevertheless, a mix of biology, culture, and gender norm socialization requires me to balance my professional goals and income potential with my care-taking responsibilities. And this puts me in the company of half our population – other women making similar choices and compromises that relate to their families, careers and earnings.

Not only do I understand this privately, my employment options have actually become ‘choices’ that are imposed on me. I struggle with younger, single, male managers, who are still looked after by their own mothers, who refuse to grant me the flexibility I need to balance these demands. In interviewing for jobs after the birth of my first, I was told, verbatim - by an older, male interviewer - that the demands of a position I was particularly overqualified for would NOT be compatible with the responsibilities carried by a new mother.

Although this was clearly discrimination (and I missed my chance to sue the state), this male employer/interviewer was right. My care-taking responsibilities are always a consideration in the type of work I can do, how much time I can dedicate to it, and whether or not I can count on retaining such employment through these temporary periods when I am called to nurture.

In reviewing testimony on the proposed draft of this bill, I am both surprised and encouraged by the statistics cited and research that shows the benefits paid family leave has for employers and the workforce; how it promotes general productivity; and how it supports healthy economics on personal, familial, and community levels. The testimonies from the Hawaii State Commission on the Status of Women and from the Hawaii Children’s Action Network are especially compelling. DLIR cites a variety of successful models in other jurisdictions from which Hawaii can learn and shape to best meet our state’s needs.

Paid family leave is especially necessary here in Hawaii, where much of our cultural make-up expects women to be the caretakers in multi-generational homes. This is further exacerbated with our high cost-of-living and housing. Women are left with no other choice but to do it all – and get paid less for doing so.

Because we are so deep in this pattern where women take jobs that pay less, either by choice so they can have this flexibility, or because it is presumed and imposed on them, it does not seem like inequities in employment and pay will go away organically any time soon. Thus, it is necessary for government to step in and institute programs that will provide the security and stability we need.

It is also hugely beneficial for us to encourage more men – through law and policy - to share responsibility as caretakers. I sincerely believe our younger men would greatly appreciate the support so they can take on a greater role in fathering their young children as well. The research and lessons we've learned from other jurisdictions clearly indicate how healthy and beneficial this will be for everyone.

Please pass SB2990 SD1 - or a substantially similar draft, not only as a measure to achieve greater fairness and equity in the workplace, but because it improves the economics and vitality of our community.

Thank you.

Becky Gardner

SB-2990-SD-1

Submitted on: 2/27/2018 2:39:28 PM

Testimony for WAM on 2/28/2018 10:45:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jeannine	Individual	Support	No

Comments:

Aloha Chair Dela Cruz, Vice Chair Keith-Agaran and members of the committee,

As the chair of the YWCA Advocacy Committee a member of its board, I am writing in strong support of this bill to establish a paid family leave insurance policy in Hawaii.

This year the Hawaii State Legislature has great opportunity to make a colossal impact on our economic future. Establishing a family leave insurance program in the state will help stabilize Hawaii's workers and businesses by helping to meet basic needs to allow workers to take time off during major life events and continue to receive a portion of their compensation and helps businesses retain key staff and remain competitive.

The extraordinary demands placed on our workforce puts families in jeopardy. Workers often must choose between providing care to a newborn or incapacitated parent and making a living. With Hawaii as the highest per capita aging population, paid family leave insurance is good investment for the economic stability for workers as they care for their parents or grandparents and also prepare for their own future retirement.

Family leave insurance will provide up to 16 weeks of paid leave for the care of a family member and ensure their job is protected when they return to work. Progressive wage replacement will scale wage replacement higher up to 90% for those earning less than half the average weekly wage and middle and higher income workers will see between 75% to 50% of their weekly earnings with a weekly cap.

Americans put in more hours than workers in other industrialized countries, and have less time off. What's more, the U.S. is the only developed nation that does not provide paid time away to care for family members. Women provide the majority of unpaid care at home, despite also being the primary breadwinner in 40 percent of families. Paid family leave is, first and foremost, about equal opportunity for all. And for that reason, lawmakers must recognize that paid family leave is a civil rights issue.

Once again, the state legislature has the opportunity to pass a strong paid-family-leave insurance policy this session. California is a good example of what we could bring to Hawaii. Their statewide paid-leave program provided support for new families, and led to 83 percent of workers using the program returning to their previous job. *The Washington Post* reported that 87 percent of California businesses had no increased

cost, and nine percent said the program saved money by reducing employee turnover and saving them from paying their own benefit costs. Similar programs have also been working in Rhode Island, New Jersey, Washington, and Washington D.C.

If Hawaii's future is dependent on a reliable and well trained workforce, we are destined for a longstanding failure if we continue to not support programs that benefit the well-being of our youngest vulnerable children, our kupuna and their families.

Thank you for your consideration.

Sincerely,

Jeannine Souki

LATE

SB-2990-SD-1

Submitted on: 2/27/2018 4:27:34 PM

Testimony for WAM on 2/28/2018 10:45:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Shay Chan Hodges	Individual	Support	No

Comments:

Aloha:

My name is Shay Chan Hodges and this is my fourth year submitting testimony in support of Paid Family Leave – also known as Family Leave Insurance -- in Hawaii.

Though my testimony is similar to prior years, there are some differences:

This year, we have data showing how little a Family Leave Insurance program will cost. In a U.S. Department of Labor–funded study, the Institute for Women’s Policy Research conducted a cost-benefit analysis, detailing four different models for providing paid leave for caregiving and medical needs in Hawaii. The most far-reaching model would cost from \$30–\$60 per employee per year, and would pay for both employee compensation and \$1.7 million in administrative expenses. This option would provide 16 weeks of Family Leave Insurance, with compensation ranging from 50 percent of earnings for higher-wage workers to 90 percent of earnings for minimum-wage employees.

In discussing the results of this study with various Hawaii residents, both parents and employers have said that they’d be willing to take responsibility for the full \$60 per year per person for a Family Leave Insurance program because it is such a low price to pay for such an important benefit.

I recently interviewed both Rep. Beth Fukumoto and Sen. Jill Tokuda for an on-line article in *Slate* about the study and the importance of passing Family Leave Insurance this session. Sen. Tokuda emphasized that, “this could be the year we match data with policy. But we need to muster the political will to do the right thing.” She added that Hawaii residents continue to ask how “government is going to ease my burden. All of us are realizing that there’s so much more that we could lose.”

Rep. Fukumoto echoed her sentiments, noting that “while some millennials are waiting to have children,” others are scrambling to care for them now, and “many are also facing the challenges of caring for *kupuna*.” She also said “there’s a heightened

awareness that the rights and benefits that we have taken for granted can be taken away. At the same time, we still have so far to go for workers and families.”

I am glad that Hawaii legislators understand the importance of supporting working families, and as I've mentioned in previous testimonies, Family Leave Insurance is not just a personal or social issue, but an economic imperative.

The following excerpts from my previous testimonies provide data backing up the economic argument for Family Leave Insurance:

For the majority of my years as a working mother in Hawaii, I have written grants for nonprofits in the health and human services arenas. I also owned and operated **Maui Child Toys and Books** for six years in Makawao Town, and in November 2014, published ***Lean On and Lead, Mothering and Work in the 21st Century Economy*** about the economic impacts of the intersection of work and parenting.

In *Lean On and Lead*, I present a variety of first person narratives and interactive data that describe what parents and other caregivers need in order to significantly participate in the economy while raising children or caring for other family members. Individuals interviewed include working women, mothers, and fathers from around the world who represent a broad variety of occupations, as well as Hawaii residents, including ***Lieutenant Governor Shan Tsutsui, Congresswoman Colleen Hanabusa, US Senator Brian Schatz, State Senator Jill Tokuda, State Representative Beth Fukumoto, and Maui District 2010 Teacher of the Year Emily Haines-Swatek***, to name a few.

The stories told in the interviews make it very clear how important policies that support working parents are to our economy -- both in the short and long-term.

As some of 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, 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, union representatives noted the impact of caregiving on Hawaii's multi-generational households.

In December of 2016, I spent 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 in the 21st century world of work, intellectual property rights, and 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 doesn't include time off for giving birth, or paid leave for pregnant women who are not able to do their jobs for medical reasons. The leave is shared by both parents.

Last year, Sweden was ranked 1st for business by Forbes Magazine. Meanwhile, the US continued its slide to 23.

Sweden is not just a great place to raise a family. It is 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 time with one of Sweden's national treasures, the inventor of GPS and the color monitor.

It was clear from our time in Sweden that when families are supported, individuals can be innovative and take risks without jeopardizing their families' health and security. And as we see 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.

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

I urge you to pass the Family Leave Insurance bill, which truly supports women, parents, and all caregivers – thereby supporting our residents in creating the economy of the future that this state so sorely needs.

Mahalo.

Shay Chan Hodges

Haiku, Maui, Hawaii

From: [Charlene Rowley](#)
To: [WAM Testimony](#)
Subject: Testimony in Support of SB 2990, SD1
Date: Monday, February 26, 2018 1:50:58 PM

From: charlenekiana@gmail.com <Charlene Rowley>

Message:

As a Labor and Deliver/ Postpartum nurse I interact with hundreds of families facing the challenges of having a new baby who struggle with the dilemma of having to return to work. For middle class families when possible women often feel forced into choosing to stay home when their income barely covers the cost of childcare. For those who choose to leave the workforce they may risk being seen as unqualified to return to their previous positions after several years raising children. For those living hand to mouth or under the burden of debt the lack of options for extended leave often means the sacrifice of breastfeeding, bonding, development of parenting skills, and spousal relationships. In my training I learned of the vital importance of the “fourth trimester” in which breastfeeding is firmly established, the woman’s body heals and by three months with good support the new family is ready to gently reenter the world and resume daily responsibilities. When we expect new mothers to return to work when this healing process is incomplete we undermine the success of the family unit and place an extraordinary amount of pressure often on our most at risk families. By supporting extended family leave we place societal value on the success of the family and the next generation. We increase the success of childbearing women in the workforce. We foster loving environments for our children thus reducing violence in our schools, homes and public spaces. The evidence is well documented that parents who feel supported by their communities and their employers are more likely to return to work, perform at higher levels and reduce poor outcomes as demonstrated in other advanced democratic societies such as Scandinavia and New Zealand. Please consider this important step forward for Hawaii and as a model for other US states.

Dear Chair Dela Cruz, Vice Chair Keith-Agaran, and committee members,

I am writing in strong support of SB 2990, SD1, which would require the Department of Labor and Industrial Relations to establish paid family leave for all workers by 2020, with workers receiving benefits by 2022. The measure would also establish the Paid Family Leave Implementation Board to assist the Department, and would require the Legislative Reference Bureau to conduct a study on the implementation of paid family 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 Hawaii 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.

SB 2990, SD1 would help working families by requiring the Department of Labor and Industrial Relations to develop a paid family leave program that would provide:

- 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
- Progressive 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 Program, all families and the community will benefit.

Charlene Rowley

LATE

Dear Chair Dela Cruz, Vice Chair Keith-Agaran, and committee members,

I am writing in strong support of SB 2990, SD1, which would require the Department of Labor and Industrial Relations to establish paid family leave for all workers by 2020, with workers receiving benefits by 2022. The measure would also establish the Paid Family Leave Implementation Board to assist the Department, and would require the Legislative Reference Bureau to conduct a study on the implementation of paid family 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 Hawaii 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.

SB 2990, SD1 would help working families by requiring the Department of Labor and Industrial Relations to develop a paid family leave program that would provide:

- 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
- Progressive 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 Program, all families and the community will benefit.

Kathleen Dixon	Pamela Michael	Christie Scrivener	Sarah Strohmingner
Jason Maga	Farris James	Laurie Chow	Aliza Milette Winfree
Erica Villanueva	Mykala Sims		

LATE

This will help me provide a healthy start for my growing family. I would be able to give my family undivided attention caring for a newborn, without the stress or worry of being unemployed because I would know that I have job security. This would also allow me to take care of my health, making sure I am healthy and strong enough enter back into the workforce and would not need to miss work days because of a lingering health issue from labor. Please support this vital issue for families in Hawaii.

Dear Chair Dela Cruz, Vice Chair Keith-Agaran, and committee members,

I am writing in strong support of SB 2990, SD1, which would require the Department of Labor and Industrial Relations to establish paid family leave for all workers by 2020, with workers receiving benefits by 2022. The measure would also establish the Paid Family Leave Implementation Board to assist the Department, and would require the Legislative Reference Bureau to conduct a study on the implementation of paid family leave.

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SB 2990, SD1 would help working families by requiring the Department of Labor and Industrial Relations to develop a paid family leave program that would provide:

- Universal coverage – all people and employers would participate in the system
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By creating a comprehensive Paid Family Leave Program, all families and the community will benefit.

Aurora Lemke

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Javzandulam Azuma	Susan Hua	Kenny Lopez
Jennifer Kuang	Jesse Singleton	Natasha Sky
Matthew Markham	Pamela Blessum	Nanna Lindberg
Marnie Masuda	Michelle Nakagawa	Justin Hughey
Colin Moore	Shannon Rudolph	Christina Fusuma Asao
Faye Salcedo	Carl York	Mary Jo Noonan
Amy Lee	Kathleen Dixon	Debbie Drummondo
Cheryl Cusick	Julian Cepeda	Michelle Takemoto
Adam Sylvester	Kathleen Lee	Theresa Martinson
Yi Ju Chen	Jimi Byrnes	Susan Oppie
Shelley Waiiau	Travis Hong	Dana Constable
Sonia Blackiston	Mark Bergner	Jessica Bergner
Rachelle Clemmey	Marinella Savarese	Mary Tschann
Sherry Campagna	Mia Takahashi	Susan Hiraoka
Ana Zorilla	Chuck Defrancis	Teresa Shook
Lisa Tokars	Carmen Golay	Melanie Kohler

Paul Gauci	Kainalu Antonio	Troy Abraham
Jeremiah Kama	Kahelekaapuni Kama	Ann Freed
Tiffany Peek	Linda Mitsuda	Karen Worthington
Angelina Mercado	Paula Adams	Vanessa Tom
Michelle Gray	Jan Ferguson	Deborah Benton
Carl York	Erica Yamauchi	Kenisha Strong
Nicholete Ito	Keeley Sikes	Courtney Caranguian
Ken Park	Jaylen Murakami	Jessica Garlock
Jo Ann Freed	Hawaii Maternal and Infant Health Collaborative	Rachel Ebert
Kealakai Hammond	Kathleen Stofocik	Shaelene Kamakaala
Shelby Wardle	Wendy Chang	Radiant Marie Cordero
Jeannie Lum	Julia Lee	Abigail Sylvester
Sharice White	Marilou Antonio	Beth Kuch
Kai Steuer	Amy De Filippi	Melita Charan
Dana Constable		

Workers feel they must go to work when their children are sick: the children are sent to school before have recovered and both get sicker, and spread their illness to other children (and teachers,too!) Please support this important bill!

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Stephanie Austin

Haiku

Hawaii

Establishing a comprehensive PFLP will make families feel like they are a priority. Mahalo for all that you do.

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Leialoha Snyder

Wailuku

Hawaii

Time spent with a new baby is irreplaceable. Please allow families time with their new babies.

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Sarah De Luca

Aloha Representatives, As we all know it takes working families to make at least \$80,000 a year to be able to survive in Hawai'i. Born and raised here I've seen costs of living increase dramatically while work compensation is lessened or stagnant We need to do better for our families, our children and especially those most vulnerable, new mom's and babies. I have been in this position and I have stayed home with two children until they were almost school aged, because working didn't make sense. I would only be paying for child care and gas to work etc. Having a paid family leave makes sense and is drastically needed. Please pass SB 2990 SD1. Mahalo

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Summer Yadao

With many people of various ethnic groups here in Hawaii, we take care of our elderly family members. Whether by ourselves or with taking turns with any siblings or extended family members. Our elderly family members are very important to us and our family and this family leave program really helps us to be able to do this for them. We schedule and take them for their regular medical and dental appointments. We take them to the hospital in case of emergencies, visit them in the hospital and try to keep them comfortable, loved, and cared for. I would not be able to help my mom with the time, travel, and the support of my employers with the Family Leave Program. Thank you for keeping this program going for others that care for their elderly family members.

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Gloria Yoshikawa

Preschool Teacher

Haleiwa

Hawaii

Dear Chair Dela Cruz, Vice Chair Keith-Agaran, and committee members, I am writing in strong support of SB 2990, SD1. Access to paid leave is inadequate and inequitable. We need to protect and support our caregivers with a comprehensive Paid Family Leave Program.

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Tatyana Cerullo

Dear Chair, Vice Chair and Committee Members: My son was six weeks premature. We were lucky that he only needed to be in the NICU (neonatal intensive care unit) for a week. I was also lucky enough to have been able to save up my sick leave to be paid for three months after giving birth, and to take seven months after that unpaid. During that week in the NICU my husband and I were able to see him all day every day. I sat with my son, skin to skin, breast fed him, bottle fed him, changed his diapers, sang to him, and had my husband hold and feed him as well. The nurses were so impressed with how fast he grew and how strong he became during his time in the NICU, and we took him home when he was 7 days old but still five weeks premature. Next to his crib in the NICU was another baby. His name was Tristin. He had been born seven weeks premature, but had been in the NICU two weeks already. He was on a feeding and oxygen tube. At least once a day he stopped breathing and the nurses would need to resuscitate. Both his parents worked and did not take time off while he was in the NICU. The mom usually came once a day to feed him, and his dad came ever other day. They were exhausted. We left before Tristan was released to go home with his parents. I don't know how his story has turned out, but I wonder how things would have been different for him if both parents were able to take off work and be there for him in this crucial time. Studies show the importance of skin to skin time with all infants, but especially premies. When parents don't have paid time off, they sometimes have to choose whether to take time off when their child is in the NICU or to take time off when they child comes home. How horrible to have to choose. If we want our children to be healthy and strong, it's time to give paid family leave. It's time to show our state what we value and not continue not supporting families with children. We don't give paid family leave, and we wonder why so many single mothers are on welfare. We wonder why there is such a pay gap with women and men. We wonder why people go into debt when they have children. Again, I was lucky--I had paid time off, I had a husband that could take time off, we had good health care. And even then, we left the hospital owing \$7,000 just for the NICU stay. And this is after our insurance paid 90% of the bill. How different our story would be if I couldn't stop working, if I didn't have health insurance, if our baby had to be in the NICU longer, if I hadn't been able to hold him, skin to skin, in those critical first days. Do what is right for everyone in Hawaii, but especially for those who do not yet have a voice. Pass this bill.

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Juliet Matsumura

I recently returned to work after 12 weeks of having a baby girl. My employer offers 6 weeks of paid maternity leave and another option to choose 6 weeks of unpaid family leave “baby bonding leave”. I can’t imagine going back to work after 6 weeks. My body wasn’t even healed yet and my little one was far too small. I not only needed more time to allow for my body to heal , but my baby needed me. It’s so vital to spend these days with your little one. We spend time learning one another, bonding, figuring out feeding, going to frequent pediatric appointments. I was fortunate enough to be able to opt for unpaid leave, but there are far too many mothers forced to go back to work just after a short 6 weeks because they either can’t afford it or their work doesn’t offer it, this is just too sad and so unethical. I hope to see the changes soon, mother’s and babies deserve this much.

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Greta Inhofer

On behalf of Breastfeeding Hawaii, we urge you to pass SB2990 SD1. This is an absolute must for our state is necessary for the health of all our families.

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Pat Bilyk

Dear Chair Dela Cruz, Vice Chair Keith-Agaran, and Members of the Committee:

I would like to thank the Committee for the opportunity to testify in SUPPORT of S.B 2990 which would create a family leave program and implementation board for our state.

Almost a year ago, my husband and I were overjoyed to welcome our baby girl, Quinn Recktenwald, to our family. She was a sweet, calming presence in a house filled with boys. She had a quiet, little soul that was content just to be held. Our lives were truly complete. Unfortunately, with this new joy comes the stress of affording to take 'maternity leave'. My employer doesn't have any 'maternity leave' and makes it extremely difficult to qualify for temporary disability, although we can exhaust our sick and vacation time while using the Family and Medical Leave Act. Unfortunately, my sick and vacation time ran out just 6 weeks after Quinn's birth and it was not financially possible for me to go without pay for more than another 2 weeks. For these reasons, along with the pressures that many working moms feel, I had to return to work much sooner than a mother and child are ready to part.

Two short days after returning to work, Quinn became suddenly ill while at daycare. I rushed her to the hospital where she passed away shortly after arriving. Quinn was the victim of Idiopathic Pulmonary Hemorrhage, which comes on suddenly in infants who appear perfectly healthy, causing the lungs to spontaneously fill with blood. While I will never know if I could have saved Quinn, what I do know is that I spent Quinn's last day at work. I didn't get to hold her one last time. Kiss her little cheeks. Rock her to sleep. This will forever haunt me.

These are the things I can't change. What can be changed is the environment that shaped Quinn's last day. At just two months old, Quinn had barely experienced any of life and yet in the eyes of the State, she was old enough to be apart from her family. Without paid family leave, what choice do working families have? We must keep roofs over our head in one of the most expensive housing markets in the country, and keep food on the table in a state with one of the highest costs of living. Truly, what choice do we have?

The State of Hawaii is built on the spirit of Aloha and Ohana. Nothing would honor these values more than family leave for all employees and their families. You have the power to forever change the lives of families here in Hawaii and for generations to come.

Thank you,
Jessica McDonald

Please help make our families stronger and let parents be home for the first couple of months with their babies. It's a critical time for the babies to build up their immune systems and they need to be held for their emotional development. Not to mention it takes a woman's body time to recover from your trauma if childbirths. Let's give our families a faring start to health! Thank you, Miki Wallace 2525 Date Street Honolulu, HI 96826

Dear Chair Dela Cruz, Vice Chair Keith-Agaran, and committee members,

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Miki Wallace

It is imperative that we pay mothers to stay home with their infants in this crucial period commonly referred to as the 4th trimester. We are the only industrialized nation without paid maternity leave. Hawaii is so expensive that it is unrealistic for most except wealthy families to be able to take unpaid leave.

Dear Chair Dela Cruz, Vice Chair Keith-Agaran, and committee members,

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Shannon Ruseborn

My name is Kathleen Gauci, Ph.D., and I am submitting personal testimony in support of SB 2990 which would establish a Family Leave Insurance Program to provide all workers with paid time off to address family needs, whether it is to care for a newborn child or an elderly family member. This is highly needed in our state especially with us having the fastest growing aging population in the nation. A public poll shows that the majority of Hawaii respondents reported wanting to take leave in the past to care for a family member. Research has also shown that a Family Leave Insurance program would not only benefit individual workers and their families, it would also benefit businesses and our economy. Having a Family Leave Insurance program would eliminate the need for workers to choose between their family member's health and their income or jobs. I respectfully request the Committee to pass this measure and thank you for the opportunity to share my support for SB 2990.

Dear Chair Dela Cruz, Vice Chair Keith-Agaran, and committee members,

I am writing in strong support of SB 2990, SD1, which would require the Department of Labor and Industrial Relations to establish paid family leave for all workers by 2020, with workers receiving benefits by 2022. The measure would also establish the Paid Family Leave Implementation Board to assist the Department, and would require the Legislative Reference Bureau to conduct a study on the implementation of paid family leave.

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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.

SB 2990, SD1 would help working families by requiring the Department of Labor and Industrial Relations to develop a paid family leave program that would provide:

- 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
- Progressive 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 Program, all families and the community will benefit.

Kathleen Gauci

I support this bill. Nothing is more important than time to recover from childbirth, establishing and maintaining breastfeeding and bonding with your new baby. When society ignores this we pay the price for generations.

Dear Chair Dela Cruz, Vice Chair Keith-Agaran, and committee members,

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Jan Ferguson

As a Labor and Deliver/ Postpartum nurse I interact with hundreds of families facing the challenges of having a new baby who struggle with the dilemma of having to return to work. For middle class families when possible women often feel forced into choosing to stay home when their income barely covers the cost of childcare. For those who choose to leave the workforce they may risk being seen as unqualified to return to their previous positions after several years raising children. For those living hand to mouth or under the burden of debt the lack of options for extended leave often means the sacrifice of breastfeeding, bonding, development of parenting skills, and spousal relationships. In my training I learned of the vital importance of the “fourth trimester” in which breastfeeding is firmly established, the woman’s body heals and by three months with good support the new family is ready to gently reenter the world and resume daily responsibilities. When we expect new mothers to return to work when this healing process is incomplete we undermine the success of the family unit and place an extraordinary amount of pressure often on our most at risk families. By supporting extended family leave we place societal value on the success of the family and the next generation. We increase the success of childbearing women in the workforce. We foster loving environments for our children thus reducing violence in our schools, homes and public spaces. The evidence is well documented that parents who feel supported by their communities and their employers are more likely to return to work, perform at higher levels and reduce poor outcomes as demonstrated in other advanced democratic societies such as Scandinavia and New Zealand. Please consider this important step forward for Hawaii and as a model for other US states.

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Charlene Rowley

I recently returned to work after 12 weeks of having a baby girl. My employer offers 6 weeks of paid maternity leave and another option to choose 6 weeks of unpaid family leave “baby bonding leave”. I can’t imagine going back to work after 6 weeks. My body wasn’t even healed yet and my little one was far too small. I not only needed more time to allow for my body to heal , but my baby needed me. It’s so vital to spend these days with your little one. We spend time learning one another, bonding, figuring out feeding, going to frequent pediatric appointments. I was fortunate enough to be able to opt for unpaid leave, but there are far too many mothers forced to go back to work just after a short 6 weeks because they either can’t afford it or their work doesn’t offer it, this is just too sad and so unethical. I hope to see the changes soon, mother’s and babies deserve this much.

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Greta Inhofer