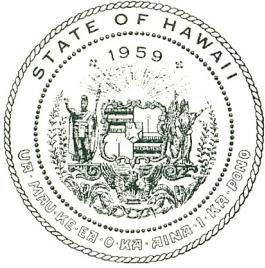


HAWAI'I
STATE
COMMISSION
ON THE
STATUS
OF
WOMEN



Chair
LESLIE WILKINS

COMMISSIONERS:

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CYD HOFFELD
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AMY MONK
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Executive Director
Khara Jabola-Carolus

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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.*

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.



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.





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
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Website: www.gcahawaii.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



Hawai'i

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/>.

American Civil Liberties Union of Hawai'i
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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: 2/27/2018 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

LATE

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

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.

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Aurora Lemke