

STAND. COM. REP. NO.

698

Honolulu, Hawaii

February 15, 2019

RE: H.B. No. 1536
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirtieth State Legislature
Regular Session of 2019
State of Hawaii

Sir:

Your Committee on Labor & Public Employment, to which was referred H.B. No. 1536 entitled:

"A BILL FOR AN ACT RELATING TO EQUAL PAY,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Amend the prohibition against employers retaliating or discriminating against employees discussing other employees' wages; and
- (2) Prohibit persons from disclosing an employee's wages other than by the employee.

The Chamber of Commerce Hawaii testified in support of this measure. The Hawai'i Civil Rights Commission, Hawaii Appleseed Center for Law & Economic Justice, American Association of University Women of Hawaii, and an individual opposed this measure. The City and County of Honolulu Department of Human Resources provided comments on this measure.



Your Committee has amended this measure by:

- (1) Restoring language that prohibits employers from retaliating or discriminating against employees who discuss the wages of other employees;
- (2) Excluding from prohibition, the discussion of employee wages if knowledge of the wages stem from human resources, payroll, or legal professional responsibilities in the workplace; and
- (3) Changing its effective date to January 1, 2050, to facilitate further discussion.

It is your Committee's intent that this measure promotes a healthy work environment for employees and employers, as well as preserve individuals' prerogative to engage in the discussion of their and other employees' wages, except as prohibited by law.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1536, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1536, H.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Labor & Public
Employment,



AARON LING JOHANSON, Chair



