

STAND. COM. REP. NO.

1016

Honolulu, Hawaii

MAR 01 2019

RE: S.B. No. 1046
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2019
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 1046, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Allow an employee to take family leave in addition to victim leave when the leave is related to domestic or sexual violence against the employee or the employee's minor child;
- (2) Require an employee to submit certification related to domestic or sexual violence of the employee or the employee's minor child; and
- (3) Require employer confidentiality of information related to domestic or sexual violence against the employee or the employee's minor child.

Your Committee received testimony in support of this measure from the Hawai'i State Commission on the Status of Women, Office of Hawaiian Affairs, Parents and Children Together, Hawaii Children's Action Network, and four individuals. Your Committee received comments on this measure from the Department of Labor and Industrial Relations.



Your Committee finds that victims of domestic or sexual violence often need to take extensive leave from their employment to attend to various health or legal matters. Your Committee further finds that addressing such matters should not pose a risk to the employee's personal health and well-being, financial security, or safety due to a fear of adverse consequences from an employer. Your Committee additionally finds that the existing state law requires that employees who are victims of domestic or sexual violence exhaust all other paid and unpaid leave accrued for the calendar year before victim leave may be applied, leaving little to no sick leave available for the rest of the calendar year. This measure will allow employees to take family leave in addition to victim leave to seek safety, treatment, or recovery in cases of domestic or sexual violence.

Your Committee has amended this measure by:

- (1) Clarifying the certification requirements for family leave taken for the purpose of seeking safety, medical attention, or victim services related to domestic or sexual violence; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1046, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1046, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



KARL RHOADS, Chair



