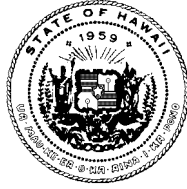


DAVID Y. IGE
GOVERNOR



PANKAJ BHANOT
DIRECTOR

CATHY BETTS
DEPUTY DIRECTOR

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

March 10, 2019

TO: The Honorable Senator Brian T. Taniguchi, Chair
Senate Committee on Labor, Culture and the Arts

FROM: Pankaj Bhanot, Director

SUBJECT: **HB 1343 HD 1 - Relating to Family Leave**

Hearing: March 12, 2019, 2:45 p.m.
Conference Room 224, State Capitol

DEPARTMENT'S POSITION: The Department of Human Services (DHS) supports this bill that will provide job protection for employees who must care for their grandchildren with a serious health condition.

PURPOSE: The purpose of the bill is to extend Hawaii family leave to include care for employees' grandchildren. The Committee on Labor & Public Employment defected the effective date. (HB1343 HD1)

DHS recognizes that Hawaii has the highest cost of living, one of the highest costs of housing, and the highest percentage of multi-generational households. Multi-generational caregiving responsibilities are primarily performed by working or employable family members, and families struggle with the decision to care for family members or forego income. The proposal reflects positive responsive change, recognizing Hawaii's multi-generational families may need additional job protections to care for their grandchildren suffering from a serious health condition.

This bill aligns with the department's 'Ohana Nui framework, which employs a multi-generational lens to human services delivery. The approach addresses the needs of children, parents, and grandparents early and concurrently, resulting in better outcomes for the family. Assessing and prioritizing the needs of the entire family to identify interventions and solutions is a major shift from the traditional siloed approach of government services.

DHS appreciates this legislature's focus on expanding unpaid leave for family members and notes that this positive change in our leave laws will reduce certain stressors for caregivers to focus on the needs of their family members.

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

Katherine T. Kupukaa
Mililani, Hawaii

COMMITTEE ON LABOR, CULTURE and the ARTS

Senator Brian T. Taniguchi, Chair

Senator Les Ihara, Jr., Vice Chair

DATE: Tuesday, March 12, 2019
TIME: 2:45 pm
PLACE: Conference Room 224
State Capitol
415 South Beretania Street

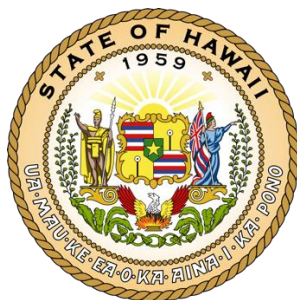
RE: OPPOSE HB 1343, HD 1, RELATING TO FAMILY LEAVE

I oppose this bill because it is all about subsidizing the employees, benefiting all the individuals who will receive the paid leave. It totally disregards the businesses that will be mandated to provide this benefit. Government should be supporting these businesses that increase the economic growth of our State.

Government should not enact laws regulating the kinds of benefits businesses provide their employees. At the same time individuals have a choice to make whether to work for a business that offer benefits the individual desires to meet their needs. I have worked both in the private sector and government and I had choices to make that is freedom.

Leave the businesses alone and let them decide what benefits to offer their employees. Do not add any more burdens to them. It is difficult enough for businesses in Hawaii to survive. This is a flawed bill. Please do not pass it.

Thank you for allowing me the opportunity to voice my concern.



‘O kēia ‘ōlelo hō’ike no ke
Komikina Kūlana Olakino o Nā Wāhine

Testimony on behalf of the
Hawai‘i State Commission on the Status of Women

Prepared for the Senate Committee on Labor, Culture, and the Arts

In Support of HB1343 HD1
Tuesday, March 12, 2019, at 2:45 p.m. in Room 224

Dear Chair Taniguchi, Vice Chair Ihara, and Honorable Members,

The Hawai‘i State Commission on the Status of Women supports HB1343 HD1, relating to family leave. This measure, if passed, would broaden coverage of Hawai‘i’s (unpaid) family leave to include care for employee’s grandchildren.

The Commission recognizes that Hawai‘i ranks first in the nation for multigenerational families, and that there is a growing trend of grandparents acting as primary caregivers for their grandchildren. Currently, Hawai‘i’s family leave law does not allow grandparents to take protected leave to take care of their grandchildren. By allowing grandparents protected leave, this proposal would better align policy with the realities of Hawai‘i’s families. Accordingly, the Commission asks the Committee to pass this measure.

Sincerely,
Khara Jabola-Carolus
Executive Director

HB-1343-HD-1

Submitted on: 3/10/2019 1:29:53 PM

Testimony for LCA on 3/12/2019 2:45:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Younghi Overly	Testifying for AAUW of Hawaii	Support	No

Comments:

Dear Chair Taniguchi, Vice-Chair Ihara, and members of the committee,

Thank you for this opportunity to submit a testimony in support for HB1343 HD1 which would extend family leave to grandparents. Paid Family Leave is vital to our working families. It 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. More and more grandparents are the primary care for their grandchildren and family leave for grandparents are as essential as one for the parents.

American Association of University Women (AAUW) of Hawaii is a state-wide organization made up of six branches (Hilo, Honolulu, Kauai, Kona, Maui, and Windward Oahu) and includes just over 450 active members with over 1700 supporters statewide. As advocates for gender equity, AAUW of Hawaii promotes the economic, social, and physical well-being of all persons.

March 10, 2019

To: Senator Brian T. Taniguchi, Chair Senator Les Ihara, Jr.,
Vice Chair
Senate Committee on Labor, Culture and the Arts

From: Laura Nevitt, Director of Public Policy
Hawaii Children's Action Network

Re: **H.B. 1343– Relating to Family Leave**
Hawaii State Capitol, Room 224 , March 12, 2019 12:45 PM

HCAN is committed to improving lives and being a strong voice advocating for Hawai'i's children. We write in SUPPORT of H.B 1343 which extends Hawaii family leave to include care for grandchildren

Family Leave is vital to our working families. It 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.

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 unpaid leave with up to 12 weeks 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 caregivers for a family member.

Providing 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.

Grandparents are caregivers too, and in our multi-generational caregiving state, we need to ensure all family members receive job protection for their family's needs.

For these reasons, HCAN respectfully requests that the committee pass this bill.

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



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

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TO: Senator Brian T. Taniguchi, Chair
Senator Les Ihara, Jr., Vice Chair
Members of the Committee on Labor, Culture and the Arts

FROM: Cynthia J. Goto, M.D., PHOCUSED Advocacy Consultant

SUBJECT: Testimony in Support of HB 1343, HD1 RELATING TO FAMILY LEAVE

Hearing: Tuesday, March 12, 2019
2:45 PM
Conference Room 224

Chair Taniguchi, Vice Chair Ihara, Members of the Committee on Labor, Culture and the Arts,

Thank you for the opportunity to testify in support of SB 471, SD1. I am Dr. Cynthia J. Goto, Advocacy Consultant for PHOCUSED.

PHOCUSED strongly supports HD 1343, HD1 which extends family leave in the State to include care for employees' grandchildren.

According to a May 2017 factsheet by grandfamilies.org, there are 61,017 children under 18 in Hawaii that live in homes where the householders are relatives other than parents, with a vast majority of these children (46,913) living with their grandparents with no parent present. In addition, a total of 12,574 grandparents are householders responsible for their grandchildren, with almost 60% of them currently in the workforce.

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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Natalie Okeson, Exec. Dir.*

With Hawaii's older generations staying in the workforce longer and the state's high number of multigenerational households, these statistics illustrate that there are a large number of working Hawaii grandparents who carry the heavy responsibility of raising their grandchildren. However, Hawaii's current family leave law does not allow them to take time off of work to care for those grandchildren when they have a serious health condition.

Extending the State's family leave law to include care for employee's grandchildren will help ensure that all of Hawaii's keiki, whether they live with their parent(s) or grandparent(s), are able to be cared for by their primary caretaker when they are ill. It also allows grandparents the peace of mind that they will be able to take the appropriate time from work to care for their sick grandchildren when it is necessary.

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 HD 1343, HD1. Thank you for the opportunity to submit this testimony.

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.



HAWAII GOVERNMENT EMPLOYEES ASSOCIATION
AFSCME Local 152, AFL-CIO

RANDY PERREIRA, Executive Director • Tel: 808.543.0011 • Fax: 808.528.0922

The Thirtieth Legislature, State of Hawaii
The Senate
Committee on Labor, Culture and the Arts

Testimony by
Hawaii Government Employees Association

March 12, 2019

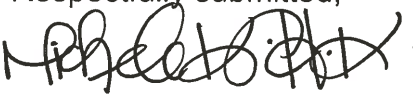
H.B. 1343, H.D. 1 – RELATING TO FAMILY LEAVE

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO strongly supports the purpose and intent of H.B. 1343, H.D. 1 which permits an employee to utilize family leave in order to care for the employee's grandchild.

Currently, Chapter 398-3 of the Hawaii Revised Statutes allows for an employee to use four weeks of family leave upon the birth or adoption of a child or to care for a child, spouse, reciprocal beneficiary, sibling, or parent with a serious health condition, but does not include care for a grandchild. In some cases, an employee is able to retire comfortably prior to becoming a grandparent, but in many other cases, grandparents must work and are the primary caregiver of their grandchildren. We strongly support legislation that would allow employees the ability to utilize family leave to care for all of their family members – parents, siblings, spouses, children, and grandchildren.

Thank you for the opportunity to provide testimony in support of H.B. 1343, H.D. 1.

Respectfully submitted,


for Randy Perreira
Executive Director

The Thirtieth Legislature
Regular Session of 2019

THE SENATE

Committee on Labor, Culture and the Arts

Senator Brian T. Taniguchi, Chair

Senator Les Ihara, Jr., Vice Chair

State Capitol, Conference Room 224

Tuesday, March 12, 2019; 2:45 p.m.

**STATEMENT OF THE ILWU LOCAL 142 ON H.B. 1343, H.D.1
RELATING TO FAMILY LEAVE**

The ILWU Local 142 **supports** H.B. 1343, H.D.1, which extends Hawaii family leave to include care for grandchildren.

It is important to be able to care for family members with serious health conditions including grandchildren. Often, grandchildren rely on their grandparents to take care of them during a time of illness and H.B. 1343, H.D.1 will officially allow them to use family leave for that purpose.

The ILWU Local 142 urges the passage of H.B. 1343, H.D.1. Thank you for the opportunity to offer testimony on this measure.

HB-1343-HD-1

Submitted on: 3/11/2019 2:45:20 PM

Testimony for LCA on 3/12/2019 2:45:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Melodie Aduja	Testifying for O`ahu County Committee on Legislative Priorities of the Democratic Party of Hawai`i	Support	No

Comments:

DAVID Y. IGE
GOVERNOR

JOSH GREEN
LIEUTENANT GOVERNOR



SCOTT T. MURAKAMI
DIRECTOR

LEONARD HOSHIJO
DEPUTY DIRECTOR

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

830 PUNCHBOWL STREET, ROOM 321

HONOLULU, HAWAII 96813

www.labor.hawaii.gov

Phone: (808) 586-8844 / Fax: (808) 586-9099

Email: dlir.director@hawaii.gov

March 12, 2019

To: The Honorable Brian T. Taniguchi, Chair,
The Honorable Les Ihara, Jr., Vice Chair, and
Members of the Senate Committee on Labor, Culture and the Arts

Date: Tuesday, March 12, 2019

Time: 2:45 p.m.

Place: Conference Room 224, State Capitol

From: Scott T. Murakami, Director
Department of Labor and Industrial Relations (DLIR)

Re: H.B. No. 1343 H.D. 1 RELATING TO FAMILY LEAVE

I. OVERVIEW OF PROPOSED LEGISLATION

HB1343HD1 amends sections 398-3(a) and 398-6(c), Hawaii Revised Statutes (HRS), by allowing an employee to take family leave to care for the employee's grandchild with a serious health condition.

DLIR offers comments.

II. CURRENT LAW

The Hawaii Family Leave Law (HFLL), Chapter 398, HRS, provides for four weeks of family leave for employees of employers with 100 or more employees, upon the birth of a child of the employee or the adoption of a child, or to care for the employee's child, spouse, reciprocal beneficiary, sibling, or parent with a serious health condition.

III. COMMENTS ON THE HOUSE BILL

This measure extends protected leave under the HFLL for an employee to care for their grandchild who has a serious health condition. The Department notes that if the measure is enacted into law as drafted it does not foresee a significant impact on staffing or resources.



**TESTIMONY OF TINA YAMAKI
PRESIDENT
RETAIL MERCHANTS OF HAWAII
March 12, 2019**

Re: HB 1343 HD1 Relating to Family Leave

Good afternoon Chairperson Taniguchi and members of the Senate Committee on Labor Culture and the Arts. I am Tina Yamaki, President of the Retail Merchants of Hawaii and I appreciate this opportunity to testify.

The Retail Merchants of Hawaii (RMH) as founded in 1901 and is a statewide, not for profit trade organization committed to the growth and development of the retail industry in Hawaii. The retail industry is one of the largest employers in the state, employing 25% of the labor force.

The Retail Merchants of Hawaii opposes HB 1343 HD1 Relating to Family Leave. This bill would extend Hawaii family leave to include care for employees' grandchildren.

Employers are already required by law to provide Family Leave to employees that includes protected leave to care for family members who are ill. It is our understanding that this issue may be already covered under Family and Medical Leave Act (FMLA) if (1) the grandparent is the legal guardian of the grandchild; OR (2) the grandparent stands in loco parentis (an individual who assumes parental status and responsibilities for another individual like a young person, without formally adopting that person to the grandchild, OR (3) the grandparent is caring for a child through psychological and emotional support by taking care of the child's child, that is, the grandchild.

In addition, this provision would be another added costly mandate to doing business in Hawaii and retailers are already operating on a very thin margin.

Policy makers should be focusing on eliminating obstacles to business growth, job creation and economic stability and not adding additional costs that employers cannot afford.

We respectfully ask that you hold this measure. Mahalo again for this opportunity to testify.



Chamber of Commerce HAWAII

The Voice of Business

Testimony to the Senate Committee on Labor, Culture and the Arts

Tuesday, March 12, 2019 at 2:45 P.M.

Conference Room 224, State Capitol

RE: HB 1343 HD1, RELATING TO FAMILY LEAVE

Chair Taniguchi, Vice Chair Ihara, and Members of the Committee:

The Chamber of Commerce Hawaii ("The Chamber") **has concerns regarding** HB 1343 HD1, which would extend Hawaii family leave to include care for grandchildren.

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

The Chamber supports the Family and Medical Leave Act (FMLA); however, we cannot support the intent of this bill. Employers are already required to provide protected leave to care for family members that are ill, and this bill would only add another mandate onto the growing costs that small business owners incur.

Additionally, the Chamber also notes that the Legislature is currently considering bills related to Act 109 which was passed last year and directed the legislative reference bureau to conduct a sunrise analysis to help the legislature understand the impact of a potential model or framework of a paid family leave program that will work best for Hawaii's workforce. The intent of this bill should be considered in this study to help determine what type of effect and impact extending Hawaii family leave to include grandchildren could have on businesses in Hawaii.

Thank you for the opportunity to testify.

Katherine T. Kupukaa
Mililani, Hawaii

COMMITTEE ON LABOR, CULTURE and the ARTS

Senator Brian T. Taniguchi, Chair

Senator Les Ihara, Jr., Vice Chair

DATE: Tuesday, March 12, 2019
TIME: 2:45 pm
PLACE: Conference Room 224
State Capitol
415 South Beretania Street

RE: OPPOSE HB 1343, HD 1, RELATING TO FAMILY LEAVE

I oppose this bill because it is all about subsidizing the employees, benefiting all the individuals who will receive the paid leave. It totally disregards the businesses that will be mandated to provide this benefit. Government should be supporting these businesses that increase the economic growth of our State.

Government should not enact laws regulating the kinds of benefits businesses provide their employees. At the same time individuals have a choice to make whether to work for a business that offer benefits the individual desires to meet their needs. I have worked both in the private sector and government and I had choices to make that is freedom.

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Thank you for allowing me the opportunity to voice my concern.