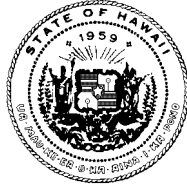


DAVID Y. IGE
GOVERNOR



PANKAJ BHANOT
DIRECTOR

CATHY BETTS
DEPUTY DIRECTOR

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

April 2, 2019

TO: The Honorable Senator Donovan M. Dela Cruz, Chair
Senate Committee on Finance

FROM: Pankaj Bhanot, Director

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

Hearing: April 4, 2019, 10:35 a.m.
Conference Room 211, 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.

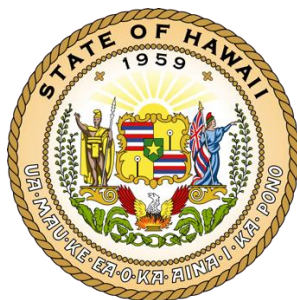
PURPOSE: The purpose of the bill is to provide grandparents with one week of family leave to care for a grandchild with a serious health condition (SD1).

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.



‘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 WAM

In Support of HB1343 HD1, SD1

Dear Chair Dela Cruz, Vice Chair Keith-Agaran, and Honorable Members,

The Hawai‘i State Commission on the Status of Women supports HB1343 HD1, SD1 with amendments. This measure, if passed in its original form, 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 with **four weeks** of family leave to care for a grandchild, which was the original intent of the legislation.

Sincerely,
Khara Jabola-Carolus
Executive Director



**TESTIMONY OF TINA YAMAKI
PRESIDENT
RETAIL MERCHANTS OF HAWAII
April 4, 2019**

Re: HB 1343 HD1 SD1 Relating to Family Leave

Good morning Chairperson Dela Cruz and members of the Senate Committee on Ways and Means. 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 SD1 Relating to Family Leave. This bill would provides grandparents with one week of family leave to care for a grandchild with a serious health condition.

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 **Grandparents caring for their grandchild 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. Businesses are very sensitive to the finite price points customers are willing to pay. Retailers are sometimes not able to absorb all of the costs associated with these types of government mandates and have to pass the cost on by raising prices of goods and services. When that happens, some employee special benefits may no longer be offered (i.e. additional employee discounts); employees may be laid off or replaced with automation like self-check-out lines or in the worst cases businesses just close.

Retailers are already operating on a very thin margin. **With the recent jump in the cost of goods, services and health care benefits, businesses are struggling.** 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.



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 Ways and Means

Testimony by
Hawaii Government Employees Association

April 4, 2019

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

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

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, S.D. 1 with a request to revert back to the original language as contained in H.B. 1343.

Respectfully submitted,

Randy Perreira
Executive Director

HB-1343-SD-1

Submitted on: 4/2/2019 4:24:36 PM

Testimony for WAM on 4/4/2019 10:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Younghi Overly	Testifying for aauw of hawaii	Support	No

Comments:

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

Thank you for this opportunity to submit a testimony in support for HB1343 HD1 SD1 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.



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

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Bryan L. Talisayan

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

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

SUBJECT: Testimony in Support with amendments of HB 1343, HD1, SD1,
RELATING TO FAMILY LEAVE

Hearing: Thursday, April 4, 2019
10:35 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 HB 1343, HD1, SD1. I am Dr. Cynthia J. Goto, Advocacy Consultant for PHOCUSED.

PHOCUSED strongly supports HB 1343, HD1, SD1 which extends family leave in the State to include care for employees' grandchildren. PHOCUSED respectfully requests support for HD 1343, HD1 which provides four weeks of family leave for employees to care for their grandchild.

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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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 HB 1343, HD1, SD1 with amendments. 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.



To: Senate Committee on Ways and Means

Time: Thursday, April 4 at 10:35am in conference room 211

Re: TESTIMONY IN STRONG SUPPORT OF HB1343 HD1 SD1 (Relating to Family Leave)

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

Healthy Mothers Healthy Babies (HMHB) is committed to improving lives and being a strong voice advocating for Hawai'i's children. We write in SUPPORT of H.B 1343 HD1 SD1 which extends Hawaii family leave to include care for grandchildren.

Family Leave is vital to our working families, as approximately 247,000 Hawaii workers currently serve as the primary caregivers for a family member. 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.

Grandparents are caregivers too, and in our multi-generational caregiving state, we need to ensure all family members are given adequate opportunity to provide family caregiving responsibilities.

Hawaii has the fastest growing aging population in the nation. In fact, our senior (age 65+) population is expected to grow 81 percent by 2030. Not only are grandparents caring for children, but the "sandwich generation" of adults caring for their own children, and parents, is growing.

We recommend adding grandparents to the definition of family, but also want to emphasize the dire necessity of Paid Family Leave as a universal employment benefit for ALL workers. 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, and our state provides no paid leave protection. 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.

Another important factor in recognizing the need for Paid Family Leave is that 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.

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

Lisa Kimura
Executive Director
Healthy Mothers Healthy Babies Coalition of Hawaii

HB-1343-SD-1

Submitted on: 4/3/2019 8:41:16 AM

Testimony for WAM on 4/4/2019 10:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Melchor Rezada	Individual	Support	No

Comments:

The Thirtieth Legislature
Regular Session of 2019

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, April 4, 2019; 10:35 a.m.

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

The ILWU Local 142 supports H.B. 1343, H.D.1, S.D.1, which provides grandparents with one week of family leave to care for a grandchild with a serious health condition.

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, S.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, S.D.1. Thank you for the opportunity to offer testimony on this measure.

LATE



MAUI
CHAMBER OF COMMERCE
VOICE OF BUSINESS

**HEARING BEFORE THE SENATE COMMITTEE ON WAYS AND MEANS
HAWAII STATE CAPITOL, SENATE CONFERENCE ROOM 211
THURSDAY, APRIL 4, 2019 AT 10:35 A.M.**

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

TESTIMONY IN OPPOSITION TO HB 1343 RELATING TO FAMILY LEAVE

Aloha, my name is Pamela Tumpap and I am the President of the Maui Chamber of Commerce, with approximately 650 members. I am writing share our opposition to HB 1343.

The Maui Chamber of Commerce supports the Family & Medical Leave Act (FMLA) and encourages the Legislature to conduct a study and analyze the impacts of expanded family leave on businesses before passing a law that goes beyond FMLA. Therefore, we oppose HB 1343 to expand family leave to include care for employees' grandchildren.

In addition, we are concerned that the bill in its current form does not specify that the family leave would only apply for grandparents who are the primary caregivers of their grandchildren.

We appreciate the opportunity to testify on this matter and ask that this bill be deferred until a study is conducted.

Sincerely,

Pamela Tumpap

Pamela Tumpap
President

To advance and promote a healthy economic environment for business, advocating for a responsive government and quality education, while preserving Maui's unique community characteristics.

LATE

HB-1343-SD-1

Submitted on: 4/4/2019 12:53:13 AM

Testimony for WAM on 4/4/2019 10:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jun Shin	Individual	Support	No

Comments:

All families of every kind should be able to provide comfort, love, happiness, and hope.