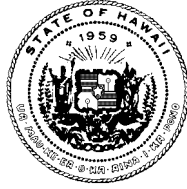


DAVID Y. IGE
GOVERNOR



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 Ways and Means

FROM: Pankaj Bhanot, Director

SUBJECT: **HB 32 HD 1 SD 1 - Relating to Family Leave**

Hearing: April 4, 2019, 10:45 a.m.
Conference Room 211, State Capitol

DEPARTMENT'S POSITION: The Department of Human Services (DHS) supports this measure and offers additional comments regarding the ability of employees in Hawaii to access unpaid and paid leave.

PURPOSE: The purpose of this bill extends the deadline for the Legislative Reference Bureau to submit the sunrise analysis required by Act 109, Session Laws of Hawaii 2018, from September 1, 2019, to November 13, 2019 (SD1).

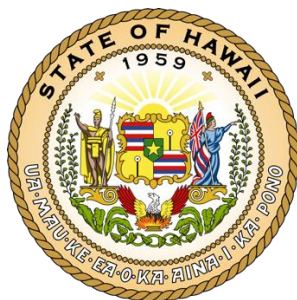
DHS recognizes the significant caregiving responsibilities for employees in public and private sectors alike. Recognizing that Hawaii has the highest cost of living, one of the highest costs of housing, and the highest percentage of multi-generational households requires us to improve workplace policies and practices to support Hawaii's family caregiving needs. As a State, we are behind in preparing for the predicted "Gray Tsunami" as Hawaii is experiencing the fastest growing aged 65 plus population in the nation. Caregiving of Hawaii's children and vulnerable adults is most often performed by employable family members who struggle with the decision to provide care or forego

income. Most people working in Hawaii cannot take unpaid leave and still maintain financial stability; caregiving situations increase family stressors that impact all family members.

While the federal Family Medical Leave Act (FMLA) allows for *unpaid* leave with job protection for up to 12 weeks for employers with 50 or more employees, Hawaii's Family Leave Law (HFL) only applies to those with 100 or more employees, and allows for 4 weeks of *unpaid* leave. Currently, employees in Hawaii do not have the right to *paid* medical or family leave.

Completion of the sunrise analysis is the next step toward a more responsive public policy to support Hawaii's working residents, their families, and improve our community's overall well-being.

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
Khara Jabola-Carolus, Executive Director

Prepared for the S. Cmtee. on WAM

Comments on HB32 HD1, SD1

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

The Hawai‘i State Commission on the Status of Women supports the intent of HB32 HD1, SD1, which would extend the deadline for the Legislative Reference Bureau to submit the sunrise analysis required by Act 109, Session Laws of Hawaii 2018, to 11/13/2019.

With only four weeks of unpaid family leave available under state law, paid family leave is critically needed in Hawai‘i. The Commission shares the common goal of a thorough and unbiased analysis but urges the completion of the study by September 1, 2019. Community based organizations, policy advocates, and state agencies need sufficient time to analyze the findings of the sunrise report and to carefully craft legislation in preparation for the 2020 Legislative Session. Deadlines are also no guarantee of completion, as we have seen this year with the Title IX study mandated by Act 110 (HB1489) passed in 2018. It will be important to consider additional unforeseen delays and create a time buffer before the 2020 Legislative Session.

Sincerely,

Khara Jabola-Carolus



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

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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 of HB 32, HD1, SD1 RELATING TO FAMILY LEAVE

Hearing: Thursday, April 4, 2019
10:35 AM
Conference Room 211

Chair Dela Cruz, Vice Chair Keith-Agaran, and members of the Committee on Ways and Means:

Thank you for the opportunity to testify in support of HB32, HD1, SD1. I am Dr. Cynthia Goto, Advocacy Consultant for PHOCUSED.

PHOCUSED supports HB 32, HD1, SD1. The sunrise analysis to understand the impacts of the establishment of a paid family leave program will provide the groundwork necessary to develop a paid family leave framework. This will enable employees to access leave benefits during times when they need to provide care for a family member.

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 32, HD1, SD1.

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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This family leave insurance program would provide much needed support for employees who need to take time off to care for their family. Those who are low-income, in particular, are especially vulnerable to loss of wages or employment at a critical time in their families. This bill would provide paid leave from work to care for a new child or sick family member. The vulnerable populations for which PHOCUSED has worked to improve their well-being, fall into this group that needs this resource. It allows workers to take adequate time off of work to care for their families without facing financial ruin or jeopardizing their career.

Our organization believes it is especially critical to include the progressive wage replacement to ensure that low-income workers are able to access the program. Those who earn less than half of the average weekly wage should receive 90% of their weekly earnings, while middle-income to higher-income workers should receive 75% or 50% of their weekly earnings, with a weekly cap.

Hawaii's vulnerable populations need family leave as a cost-effective way to keep employees in the work force and also take care of their families. Nearly half of families with children in Hawaii cannot afford basic needs. By 2020, about 40% of the workforce will be providing care for older parents. Paid family leave is needed now.

The majority of families in Hawaii are "working families" who cannot afford to take unpaid leave long enough to cover their care taking needs. Please help our ohana who are struggling to care for their loved ones in their time of need.

Thank you for the opportunity to submit testimony in support of HB 32, HD1, SD1.

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 APPLESEED

CENTER FOR LAW & ECONOMIC JUSTICE

Testimony of Hawai'i Appleseed Center for Law and Economic Justice
Supporting HB 32 HD1 SD1 – Relating to Family Leave
Senate Committee on Ways and Means
Thursday, April 4, 2019, 10:35 AM, conference room 211

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

Thank you for the opportunity to provide testimony in **SUPPORT** of **HB 32 HD1 SD1**. This bill extends the deadline for the LRB to submit a sunrise analysis of a Hawai'i paid family leave program from 9/1/2019 to 11/13/2019.

It is important that the legislature be ready to have a robust and well-informed discussion of paid family leave during the 2020 session. The lack of access to paid leave has profound consequences for our working families. In Hawai'i, 7 in 10 children live in households where both parents work, and over a quarter of children live in households headed by a single parent, leaving no full-time caregiver at home.

Meanwhile, the population of Hawai'i is both older than that of the U.S. as a whole, and is aging faster. More and more families are facing the challenges of caring for their kūpuna, and their numbers will continue to grow.

Although some individual companies offer employees paid leave, this benefit is typically only available to high-income workers. Paid leave is generally unavailable to the low-wage workers who truly have the greatest need for it.

That is why it's crucial for Hawai'i to put into place a strong financial safety net for the hard-working families who desperately need support when faced with serious family caregiving responsibilities. **Receiving the results of the sunrise analysis with enough lead time before the start of the 2020 session is an important first step towards that goal.**

We appreciate your consideration of this testimony.

The Hawai'i Appleseed Center for Law and Economic Justice is committed to a more socially just Hawai'i, where everyone has genuine opportunities to achieve economic security and fulfill their potential. We change systems that perpetuate inequality and injustice through policy development, advocacy, and coalition building.



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

Re: HB 32 HD 1 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.

We SUPPORT the intent of HB 32 HD 1 SD 1 Relating to Family Leave. This bill extends the deadline for the Legislative Reference Bureau to submit the sunrise analysis required by Act 109, Session Laws of Hawaii 2018, from September 1, 2019, to November 13, 2019.

We question the extension to being only November 13, 2019. We appreciate that the Legislative Reference Bureau is focusing on a Hawaii based independent study of this issue. **There are many complex components that surround the issue of Family leave that needs careful and in depth examination.**

We recognize that studies like these takes time. **They should not be done hastily but rather thoroughly and concisely. The legislature should consider the timeframe that the LRB needs and is requesting to complete the study.**

Mahalo again for this opportunity to testify.

HB-32-SD-1

Submitted on: 4/2/2019 8:43:50 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:

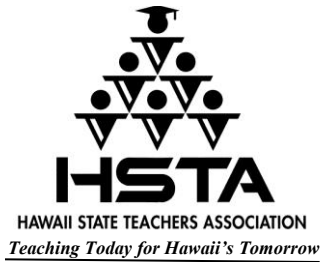
Dear Chair Dela Cruz, Vice-Chair Keith-Agaran, and the members of committee,

Thank you for the opportunity to support HB32 HD1 SD1, which would move the deadline to finish Paid Family Leave Study from 9/1/2019 to 11/13/2019 (the Act 109 of Session Laws of Hawaii 2018).

While we are disappointed that the deadline has to be extended, we hope it can be completed sooner than later to give the community more time to provide input afterwards. 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.

The 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.

Thank you for your consideration.



Corey Rosenlee
President
Osa Tui Jr.
Vice President
Logan Okita
Secretary-Treasurer
Wilbert Holck
Executive Director

TESTIMONY BEFORE THE SENATE COMMITTEE ON
WAYS AND MEANS

RE: HB 32, HD1, SD1 - RELATING TO FAMILY LEAVE

THURSDAY, APRIL 3, 2019

COREY ROSENLEE, PRESIDENT
HAWAII STATE TEACHERS ASSOCIATION

Chair Dela Cruz and Members of the Committee:

The Hawaii State Teachers Association **supports HB 32, HD1, SD1**, relating to family leave. **Although HSTA wanted this study completed earlier, we agree with the deadline for the completed Paid Family Leave study to be changed to November 13, 2019, thus allowing more research time requested by the Legislative Reference Bureau, but allowing enough time for proper legislation to be drafted prior to the 2020 Legislative Session to support the findings of this study.**

Teachers are fortunate to be covered by a collective bargaining agreement that provides paid sick leave. Over 40 percent of Hawai'i's workforce; however, are not afforded the same benefit. As a result, workers are often required to choose between providing for their families by working while sick or enduring a loss of income to recuperate. Families also must decide whether or not to send sick children to school or stay home and lose a day of pay. For low-income families, this financial bind can mean the difference between providing food or going hungry. When children are forced to attend class while ill, moreover, contagions may spread to other students, and not much learning occurs for the ill child who needs to recover from an illness.

It's a chain reaction. Multiple families may be become infected. Entire classes may see their health and learning suffer. Providing paid sick leave that may be extended only to family members will break the cycle of illness by allowing families to care for themselves, their children, and their kupuna without loss of pay, while not affecting other classmates and their families. We also note that women are disproportionately harmed by the lack of family leave insurance. Inasmuch as women serve as primary caregivers for keiki and kupuna alike, the lack of paid family leave exacerbates the gender wage gap and the cycle of economic discrimination toward the women who comprise 59 percent of Hawai'i's workforce.

To better care for families living paycheck to paycheck, the Hawaii State Teachers Association asks your committee to **support** this bill.



Chamber of Commerce HAWAII

The Voice of Business

**Testimony to the Senate Committee on Ways and Means
Thursday, April 4, 2019 at 10:35 A.M.
Conference Room 211, State Capitol**

LATE

RE: HB 32 HD1 SD1, RELATING TO PAID FAMILY LEAVE

Chair Luke, Vice Chair Cullen, and Members of the Committee:

The Chamber of Commerce Hawaii ("The Chamber") **provides the following comments on HB 32 HD1 SD1**, which extends the deadline for the Legislative Reference Bureau to submit the sunrise analysis required to Act 109, Session Laws of Hawaii 2018, from September 1, 2019 to November 13, 2019.

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.

On page two, lines 13 through 18, the bill addresses hiring a contractor with a known bias. Using State funds to contract any entity with a known stake in the outcome of the analysis would be cause for concern.

In addition, the delays made in the contracting of this study leave little to no time between when the work is started in late April, the study being completed in mid-November, and the beginning of the next legislative session, when bills to establish a paid family leave program will be proposed.

Thank you for the opportunity to testify.



MAUI
CHAMBER OF COMMERCE
VOICE OF BUSINESS

LATE

**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 SUPPORT OF HB 32 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 support of HB 32.

The Maui Chamber of Commerce supported Act 109 and the study on the impacts of family leave. We feel it is important that legislators understand the impacts before adding further burdens onto the business community and believe this study is greatly needed. Therefore, we request that this extension be granted to the Legislative Reference Bureau.

However, we have concerns on whether enough time has been allowed for the Legislative Reference Bureau to adequately accomplish the task, given the short 2 month extension. We are also concerned that they have expended time and resources on an incomplete RFP that didn't include all appropriate situations that has led to organizations going through the time and expense to submit a bid that now cannot be accepted.

We appreciate the opportunity to testify on this matter and ask that this bill be passed.

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.