

STAND. COM. REP. NO. 560-20

Honolulu, Hawaii

, 2020

FEB 14

RE: H.B. No. 1701

H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1701, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure is to promote pay equity by:

- (1) Conforming statutory prohibitions against wage discrimination with other prohibitions on employment discrimination;
- (2) Clarifying the factors that can be used by employers to justify differences in compensation based on seniority, merit, or other nondiscriminatory factors;
- (3) Requiring employers to disclose wage ranges to employees and prospective employees; and
- (4) Updating the term "equal work", as used in state nondiscrimination statutes, to "substantially similar work".

Your Committee received testimony in support of this measure from the Hawaii State Commission on the Status of Women, Hawaii Civil Rights Commission, AAUW of Hawaii, Hawaii Women's Coalition,

HB1701 HD1 HSCR JUD HMS 2020-1118



Hawaii Advocates for Consumer Rights, LGBT Caucus of the Democratic Party of Hawaii, Common Cause Hawaii, Pono Hawaii Initiative, Hawaii Appleseed Center for Law and Economic Justice, Planned Parenthood Votes Northwest and Hawaii, Queen's Health Systems, Zonta Club of Hilo, and ten individuals. Your Committee received testimony in opposition to this measure from the Hawaii Credit Union League. Your Committee received comments on this measure from the Hawaii Food Industry Association, Hawaii Pacific Health, and Chamber of Commerce Hawaii.

Your Committee finds that persisting inequality in pay between genders has dire and long-lasting economic effects on women, who make up almost half of America's workforce, as well as on children and most households. This measure builds on the pay equity provisions of Act 108, Session Laws of Hawaii 2018, by prohibiting discrimination in compensation based on race; sex, including gender identity or expression; sexual orientation; age; religion; color; ancestry; disability; marital status; arrest and court record; or domestic or sexual violence victim status for substantially similar work.

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 H.B. No. 1701, H.D. 1, and recommends that it be referred to your Committee on Finance.

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



CHRIS LEE, Chair



