

Honolulu, Hawaii

FEB 14 , 2020

RE: H.B. No. 2054  
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. 2054, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES,"

begs leave to report as follows:

The purpose of this measure is to prohibit employers from:

- (1) Requiring employees to enter into, as a condition of employment, a nondisclosure agreement preventing the employee from disclosing or discussing sexual harassment or sexual assault in the workplace, at work-related events, between employees, or between an employer and an employee; and
- (2) Retaliating against employees for disclosing or discussing sexual harassment or sexual assault.

Your Committee received testimony in support of this measure from the Department of Human Services; Hawaii State Commission on the Status of Women; Hawaii Civil Rights Commission; AAUW of Hawaii; Hawaii Women's Coalition; LGBT Caucus of the Democratic Party of Hawaii; Planned Parenthood Votes Northwest and Hawaii; SAG-AFTRA; Domestic Violence Action Center; Fujiwara and Rosenbaum, LLLC; SAG-AFTRA; Domestic Violence Action Center; and five individuals.



Your Committee finds that maintaining and fostering a safe work environment that is respectful and free from workplace harassment, intimidation, and assault are important to ensuring the safety and dignity of all employees. Prohibiting employers from using nondisclosure agreements to suppress disclosure of sexual harassment or sexual assault occurring in the work environment and retaliating against employees for disclosure provides enhanced protections and supports a safe and positive work environment for all individuals.

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. 2054, 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,



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CHRIS LEE, Chair



