

STAND. COM. REP. NO.

1186

Honolulu, Hawaii

MAR 01 , 2019

RE: H.B. No. 488  
H.D. 2

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirtieth State Legislature  
Regular Session of 2019  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 488, 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 nondisclosure agreements, as a condition of employment, preventing the employee from disclosing sexual harassment or sexual assault occurring 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.

American Association of University Women of Hawaii, Screen Actors Guild-American Federation of Television and Radio Artists Hawaii Local, Aloha State Association of the Deaf, O'ahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i, Planned Parenthood Votes Northwest and Hawaii, and several individuals testified in support of this measure. An individual testified in opposition to this measure. Hawai'i Civil Rights Commission, Hawai'i State Commission on the Status of Women,

HB488 HD2 HSCR JUD HMS 2019-2832



Hawai'i Women Lawyers, and Fujiwara & Rosenbaum, LLLC provided comments.

Your Committee has amended this measure by providing that confidentiality is allowed for settlements between an employee alleging sexual harassment and an employer only if the employee consents to confidentiality.

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. 488, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 488, H.D. 2.

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



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CHRIS LEE, Chair



