

‘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 H. Cmtee. on Finance

In Support of SB821 SD1, HD1  
Friday, March 29, 2019, at 3:30 p.m. in Room 308

Dear Chairs Luke, Vice Chairs Cullen, and Honorable Members,

The Hawai‘i State Commission on the Status of Women supports SB821 SD1 HD1, which would require any new or substantially modified establishment to provide equal access to diaper changing stations for all parents. Notably, SB821 SD1 HD1 also requires baby feeding accommodations. This measure is important to ensure that parents have access to public accommodations. It also addresses women’s disproportionate responsibility for children’s safety and well-being, and ensures that this inequality is no longer nourished by law.

American fathers are much more involved in child care than they were fifty years ago and attitudes among men towards gender and family norms are increasingly egalitarian.<sup>1</sup> Public accommodations should reflect the reality of changing gender roles, and enable men to embrace caregiving.

Further, the Commission is troubled by the total absence of diaper changing stations available in state facilities such as at the Hawai‘i State Capitol. This discourages parents from engaging the Legislative process and endangers the safety of infants who are made to lie on the public bathroom floor for changing.

To increase equal parenting and public health and safety, the Commission respectfully requests that the Committee pass SB821 SD1, HD1 amended to add the following language:

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<sup>1</sup> Parker, K., “Seven Facts About American Dads,” June 13, 2018, <http://www.pewresearch.org/fact-tank/2018/06/13/fathers-day-facts/>.

Every existing establishment for public use that has not been substantially modified as specified in section 489-B(b) shall provide baby diaper-changing accommodations for public use as provided in subsection (a) by July 1, 2022.

**Mahalo,**

**Khara Jabola-Carolus**  
**Executive Director**

**SB-821-HD-1**

Submitted on: 3/28/2019 3:43:37 PM

Testimony for FIN on 3/29/2019 3:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ann S Freed	Hawaii Women's Coalition	Support	No

Comments:

Aloha Chair Luke, Vice Chair Cullen and members,

The Women's Coalition supports this measure that recognizes that Legislators, as well as citizens, are often parents who should be supported in the care of their infants. In the 21st Century Both women and men want lives that include both work and family. Men want to fully participate in their children's lives and women no longer want to do a disproportionate amount of child care.

Please pass this bill,

Mahalo, Ann S. Freed, Co-Chair, Hawaii Women's Coalition

**SB-821-HD-1**

Submitted on: 3/28/2019 2:04:00 PM

Testimony for FIN on 3/29/2019 3:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Patricia Bilyk	Breastfeeding Hawaii	Support	Yes

Comments:

# HAWAII YOUTH SERVICES NETWORK

677 Ala Moana Boulevard, Suite 904 Honolulu, Hawaii 96813

Phone: (808) 489-9549

Web site: <http://www.hysn.org> E-mail: [info@hysn.org](mailto:info@hysn.org)

Rick Collins, President

Judith F. Clark, Executive  
Director

Bay Clinic

Big Brothers Big Sisters of  
Hawaii

Bobby Benson Center

Child and Family Service

Coalition for a Drug Free Hawaii

Collins Consulting, LLC

Domestic Violence Action Center

EPIC, Inc.

Family Programs Hawaii

Family Support Hawaii

Friends of the Children of  
West Hawaii

Hale Kipa, Inc.

Hale 'Opio Kauai, Inc.

Hawaii Children's Action  
Network

Hawaii Health & Harm  
Reduction Center

Hawaii Student Television

Ho'ola Na Pua

Kahi Mohala

Kokua Kalihi Valley

Maui Youth and Family Services

Na Pu'uwai Molokai Native  
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Systems

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Parents and Children Together  
(PACT)

PHOCUSED

PFLAG – Kona Big Island

Planned Parenthood of the  
Great Northwest and  
Hawaiian Islands

Residential Youth Services  
& Empowerment (RYSE)

Salvation Army Family  
Intervention Services

Sex Abuse Treatment Center  
Susannah Wesley Community  
Center

The Catalyst Group

March 28, 2019

Representative Sylvia Luke, Chair  
And members of the Committee on Finance

## TESTIMONY IN SUPPORT OF SB 821 SD 1 HD 1 RELATING TO GENDER EQUITY

Hawaii Youth Services Network (HYSN), a statewide coalition of youth-serving organizations, supports SB 821 SD 1 HD 1 Relating to Gender Equity.

In October, more than 200 youth and about 50 adult volunteers and advisors gathered at the State Capitol for the 25<sup>th</sup> annual Children and Youth Summit.

Two of our participants brought their babies with them. That is when I realized that the Capitol lacks facilities needed by parents and other caregivers of infants, including a lactation room and baby changing stations. The photo below shows one of the parents kneeling on the bathroom floor to change her baby's diaper.



The Capitol Building is supposed to be a welcoming place that encourages citizen involvement and participation. This includes families with children.

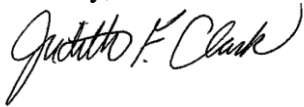
There are many other places of public accommodation where parents and caregivers need facilities to care for their babies' needs. As the bill states, caregivers of both genders need adequate, safe, and sanitary facilities to change diapers.

Some parents have disabilities that make it impossible to kneel on the bathroom floor, so failure to provide a changing station could potentially be a violation of the Americans with Disabilities Act. The floor of the bathroom is not a sanitary or appropriate place to change a baby's diaper but sometimes parents have no other choice.

We strongly support to have facilities for parents and caregivers of infants to have a lactation room and baby changing stations.

Thank you for your support of families and for this opportunity to testify.

Sincerely,

A handwritten signature in black ink that reads "Judith F. Clark". The signature is written in a cursive, flowing style.

Judith F. Clark, MPH  
Executive Director

**SB-821-HD-1**

Submitted on: 3/28/2019 12:14:36 AM

Testimony for FIN on 3/29/2019 3:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Midwives Alliance of Hawaii	Midwives Alliance of Hawaii	Support	Yes

Comments:

We strongly support SB821 HD1 and request legislators to pass this bill.

**SB-821-HD-1**

Submitted on: 3/27/2019 11:36:51 PM

Testimony for FIN on 3/29/2019 3:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Michael Golojuch Jr	LGBT Caucus of the Democratic Party of Hawaii	Support	Yes

Comments:

Aloha Representatives,

The LGBT Caucus of the Democratic Party of Hawaii fully supports SB 821 SD 1 HD 1.

Mahalo for your consideration and hopefully your support & for the opportunity to testify.

Mahalo,

Michael Golojuch, Jr.

Chair

LGBT Caucus of the Democratic Party of Hawaii



**SB-821-HD-1**

Submitted on: 3/27/2019 11:50:03 PM

Testimony for FIN on 3/29/2019 3:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Pride Work HI	Pride at Work Hawaii	Support	Yes

Comments:

Aloha Representatives,

The Pride at Work Hawaii, an affiliate of Hawaii State AFL-CIO, supports the passage of SB 821 SD1 HD 1.

Mahalo for your consideration and for the opportunity to testify in support of SB 821 SD 1 HD 1.

Mahalo,

Pride at Work - Hawaii



**TESTIMONY OF TINA YAMAKI  
PRESIDENT  
RETAIL MERCHANTS OF HAWAII  
March 29, 2019**

**Re: SB 821 SD1 HD1 Relating to Gender Equality**

Good afternoon Chairperson Luke and members of the House Committee on Finance. 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.

While we understand the intent of this measure, we must respectfully oppose SB 821 SD1 HD 1 Relating to Gender Equality. This measure would requires all places of public accommodation and state building construction constructed or substantially modified after December 31, 2020, to provide baby diaper-changing accommodations and baby feeding accommodations that are equally accessible to men and women.

Businesses do respond to the wants of the customers that patronize their establishments all the while operating on a very thin profit margin. Retailers are already struggling with high costs of doing business in Hawaii, competition from online sellers, increase in theft and having to deeply discount to make a sale. We have already seen an increase in retailers who have begun to lay off workers or are contemplating closing their doors for good in Hawaii. Measures like these just drive up the cost of doing business and living in Hawaii.

Mandating changing tables and baby feeding accommodations in both men's and women's restrooms or creating family rooms would put a hardship on many retailers, especially small businesses when they do renovations. Some retail locations are already mandated by their lease to do renovations every few years. **Older properties restrooms are often limited in space and may have to be reconfigured to accommodate a changing table or feeding area. Some business are already struggling with space to meet the Americans with Disabilities Act regulations for handicapped stalls.**

Many new construction are already including changing tables and baby feeding areas in both the men's and women's restrooms, and/or a separate family room. The close proximity of the effective date would be a burden on those businesses who are already in the long permitting process, but whose plans have not yet been approved. **Adding in changes once a project has been set and budgeted for would add substantial cost to the project if a bathroom needs to be reconfigured and modified to not only accommodate ADA mandates, but also now for the changing tables, child feeding area or to include an entire separate family room.**

**This measure may encourage many retailers to cancel their renovation plans or no longer allow the public access to the restrooms.** As a result we may see far fewer public accessible bathrooms.

**Government mandates like this does drive up the cost of doing business that in turn drives up the cost of living in Hawaii.** Policy makers should be focusing on eliminating obstacles to business growth, job creation and economic stability and not adding additional costs that many employers cannot afford. We urge you NOT to impose another government mandate on business and ask that you **DEFER** this measure.

Mahalo again for this opportunity to testify.



**Kelii Gouveia, Chairman** – Duke's Waikiki      **Tom Jones, Incoming Chair** – Gyotaku  
**Tammy Fukugawa, Vice Chair** – TS Restaurant      **Dirk Koeppenkastrup, Secretary** – IL Gelato Hawaii  
**Michael Miller, Treasurer** – Tiki's Grill & Bar      **Tyler Roukema, Past Chair** – Outrigger Canoe Club

**Sheryl Matsuoka**, Executive Director      **Leila Morinaga**, Executive Assistant      **Holly Kessler**, Director of Membership Relations

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Tina Rogers  
Victor Lim

To: Sylvia Luke, Chair  
Ty J.K. Cullen, Vice Chair  
Members of the Committee on Finance

From: Victor Lim, Legislative Lead  
Hawaii Restaurant Association

Subj: SB 821 SD1 HD 1 Relating to Gender Equity

Date: March 27, 2019

The Hawaii Restaurant Association representing over 3,600 restaurants here opposes SB 821 SD 1 HD 1 dealing with Gender Equity; Baby Diaper-Changing and Baby Feeding Accommodations for both men and women.

While we understand the intent of this measure, this measure would require all places of public accommodation constructed or substantially modified after June 30, 2019, to provide baby diaper-changing accommodations and baby feeding accommodations that are equally accessible to men and women. It also requires all existing places of public accommodation that have not been substantially modified to provide diaper-changing accommodations that are equally accessible to men and women by July 1, 2022.

Older properties restrooms are often limited in space and having to reconfigure to accommodate a changing table or have family changing rooms will be major cost in both dollars and space requirements that the business does not have nor can afford. This is also above and beyond the ADA requirements that the business is already providing and might have a side effect of businesses not wanting to provide public restrooms.

With already having a very high cost to do business here in the state, this will make it even harder for businesses to make it here.

Thank you for giving us this opportunity to share our view on this.



**SB-821-HD-1**

Submitted on: 3/28/2019 12:21:56 PM

Testimony for FIN on 3/29/2019 3:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Neil Ishida	ABC Stores	Oppose	No

Comments:

ABC Store opposes SB 821, SD1, HD1. Mandating changing tables and baby feeding accommodations in both men's and women's restrooms or creating family rooms would put a hardship on many retailers, especially small businesses when they do renovations. We urge you to hold this measure. Mahalo for this opportunity to testify.

**SB-821-HD-1**

Submitted on: 3/28/2019 12:16:02 AM

Testimony for FIN on 3/29/2019 3:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Lea Minton	Individual	Support	Yes

Comments:

I strongly support SB821 HD1 and urge legislators to pass this bill.

To: Committee on Finance  
Hearing Date/Time: 3/29/19 at 3:30pm  
Place: Conference room 308, State Capitol

**LATE**



healthymothers  
healthybabies  
COALITION OF HAWAII

Re: TESTIMONY IN SUPPORT OF SB 821 SD1 HD1 - RELATING TO GENDER EQUITY / DIAPER STATIONS

Dear Chair Luke and Vice Chair Cullen and members of the Committee,

Society is evolving and we live in a time and place that men and women are both raising children; single fathers are raising children; and two-father households are raising children, necessitating parity for both men and women to be able to contribute to parenting responsibilities.

Current need:

Dads change diapers, and because not all men's bathrooms offer changing table facilities, this means that men are forced to put their babies on the floors, sinks or countertops in public bathrooms. The current lack of changing tables in men's bathrooms also reinforces the notion that men don't share the burden, often leaving mothers solely responsible for diaper-changing duty when out in public spaces—unless parents opt to change their children outside, or in uncomfortable or unsanitary locations.

Gender Inequality:

Men are currently nowhere close to splitting the childcare workload equally; dads in 2015 spent seven hours a week on childcare—up from 2.5 hours in 1965—while moms spent 15 hours on childcare, according to a Pew Research study. Dads also only put in nine hours of household chores compared to 18 hours for moms. The study also found that "despite changing gender roles, many still perceive mothers as better equipped than fathers to care for children." This bill would help close some of the gender gap in caregiving roles, while positively contributing to quality of life for any parent in need of a changing table for their baby. Changing tables should be accessible to both genders (per each publicly-accessible floor) and building owners or managers should post clear signs directing the public to the location of the nearest available changing table.

Affordability:

Most industrial diaper changing stations cost \$175 or less, and while the financial cost to businesses to install changing tables in both bathrooms is nominal, its benefit is immeasurable. This trend is already popping up in several states (including New York, which recently passed a similar bill) as business owners try to get ahead of building codes and generally try to provide good customer service.

One potential consideration for this bill would be to offer a tax credit for the installation, (similar to a proposed bill in Florida) which provides for two diaper stations up to \$300 each or the cost of the station, whichever is less.

We stand in support of SB 821 and respectfully urge your Committee to pass this bill. Thank you for the opportunity to provide testimony.

Sincerely,

Lisa Kimura  
Executive Director

Healthy Mothers Healthy Babies Coalition of Hawaii | Phone: 808.737.5805  
245 N. Kukui St. #102A, Honolulu, HI 96817 | WWW.HMHB-HAWAII.ORG

To: House Committee on Finance  
Chair Silvia Luke, Vice Chair Ty Cullen

Re: SB 821 SD1 HD1 Relating to Gender Equity

March 29, 2019, 3:30pm, House conference room 308

Chair Luke and Vice Chair Cullen and members of the House Committee on Finance-

The National Association of Social Workers, Hawai'i is in strong support of SB 821, with amendments.

While we are pleased with the intent and progress of the bill, there are some suggestions for the sake of clarity. Under definitions, "Baby feeding accommodation" should instead be referred to a "lactation station," as the intent is not to hide mothers feeding their babies away, as they have the right to nurse in public, rather provide a private place to pump breast milk. Under the 3<sup>rd</sup> provision of the hardship exemption, there is not a percentage listed. It should be very difficult to qualify for an exemption, as the basic range commercial changing table costs \$150.

Having access to a safe and sanitary place to change a diaper should be an obligation of any building that has public access. The gymnastics of trying to change your child on the edge of the bathroom sink, the tank of a toilet, or in desperation resorting to using the bathroom floor to change a diaper should be a thing of the past. In Hawai'i, primary caregivers of our Keiki not only range in gender, but also in age, with many Kupuna assisting with care. Parents also range in physical ability and mobility and we should ensure that everyone can provide for their children's basic sanitary needs, while out in public.

Precedent for this exists at the Federal level with the BABIES Act, signed in to law by President Obama in 2016, which required diaper changing facilities available to both men and women in all federal facilities with public access.

New York State also enacted a similar bill, which went in to effect January 1st of this year. All new bathrooms that are publicly accessible must have diaper changing tables. The law applies to all men's and women's bathrooms that are either new or renovated, and open to the public. When the law passed in April, New York Gov. Andrew Cuomo said, "New York proudly leads the nation in fighting for the rights of working parents, and by ensuring access to these amenities, we will help ensure all New Yorkers can give their children the care they need at this critical stage of their lives."

Please lend your support to this straightforward bill



Sonja Bigalke-Bannan, MSW, LSW  
Executive Director  
National Association of Social Workers- Hawaii'i



**LATE**

**SB-821-HD-1**

Submitted on: 3/29/2019 1:47:41 PM

Testimony for FIN on 3/29/2019 3:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Summer Yadao	Individual	Support	No

Comments:

Aloha, thank you for taking testimony on this very important issue. People may not think that having a baby-changing station in men's restrooms is a big deal. However the message it sends to everyone, including children, kids and teens who are watching our every move, is that diaper-changing currently is only supposed to be done by women.

This is a gross misrepresentation of what it means to be a parent.

Men and women, should be able to stay home for at least a year after the birth of their child in order to create the proper bonding and unity within the home.

Men and women should be able to be a stay at home parent if they choose to in order to care for their baby properly without the added stress of wondering how their child will be while they are at work.

Parents need more support by everyone in the community in order to build stronger families, stronger communities built on love, understanding and equality.

Mahalo,

Summer Yadao