

STAND. COM. REP. NO.

483

Honolulu, Hawaii

FEB 19 2021

RE: S.B. No. 1275
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Labor, Culture and the Arts, to which was referred S.B. No. 1275 entitled:

"A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require each state government branch to establish a shared leave program for state employees;
- (2) Preclude state government branches from prohibiting leave sharing between employees of different departments or bargaining units because of administrative infeasibility; and
- (3) Allow a public employee to designate beneficiaries to the employee's unpaid vacation allowance and wages through a statement that is not verified or written.

Your Committee received testimony in support of this measure from the Hawaii State Teachers Association and Hawaii Government Employees Association, AFSCME Local 152, AFL CIO. Your Committee received testimony in opposition to this measure from the Department of Human Resources Development.



Your Committee finds that the State's existing shared leave program does not allow sharing of leave across separate employer jurisdictions. Your Committee also finds that because each jurisdiction has their own set of policies and rules, implementation of a multi-jurisdictional shared leave program would require an assessment of existing policies and programs across all jurisdictions to assess integration into a centralized system. This would require coordination among all state jurisdictions and a budget for staffing, software development and maintenance, security, and hosting. Since the conditions for usage of the program include limitation over the life of an employee's state employment, a comprehensive and sustainable tracking system would also be necessary. Authority for the grant and appeals process would require formalization to include a multi-jurisdictional board to insure fairness and transparency across the affected jurisdictions. Therefore, your Committee finds that there is need for additional time for the State to assess the implications, the necessary protocols, and budgeting to implement this measure.

Accordingly, your Committee has amended this measure by:

- (1) Retaining the six-month minimum service and absence of disciplinary record of sick leave abuse within the past two years under sections 78-26(b)(1) and (4), Hawaii Revised Statutes, as eligibility criteria for participation in the shared leave program;
- (2) Appropriating an unspecified amount of general funds to be expended by the Department of Human Resources Development for the purposes of this measure;
- (3) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1275, as amended herein, and recommends that it pass



Second Reading in the form attached hereto as S.B. No. 1275,
S.D. 1, and be referred to your Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committee on Labor, Culture and
the Arts,


BRIAN T. TANIGUCHI, Chair



The Senate
 Thirty-First Legislature
 State of Hawai'i

Record of Votes
Committee on Labor, Culture and the Arts
LCA

Bill / Resolution No.:* SB 1275	Committee Referral: LCA, WAM	Date: 2-8-21		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
TANIGUCHI, Brian T. (C)	✓			
IHARA, Jr., Les (VC)	✓			
CHANG, Stanley	✓			
KEOHOKALOPE, Jarrett	✓			
FEVELLA, Kurt	✓			
TOTAL	5	0	0	0
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes