



HAWAI‘I CIVIL RIGHTS COMMISSION

KOMIKINA PONO KIWILA O HAWAI‘I

830 PUNCHBOWL STREET, ROOM 411, HONOLULU, HI 96813 · PHONE: (808) 586-8636 · FAX: (808) 586-8655 · TDD: (808) 586-8692

Friday, March 17, 2023, 11:00 a.m.
Conference Room 423 & Videoconference

To: The Honorable Daniel Holt, Chair
The Honorable Rachele F. Lamosao, Vice Chair
Members of the House Committee on Economic Development

The Honorable Scot Z. Matayoshi, Chair
The Honorable Andrew Takuya Garrett, Vice Chair
Members of the House Committee on Labor & Government Operations

From: Liann Ebesugawa
Chair, Hawai‘i Civil Rights Commission

Re: S.B. No. 1057, S.D.2

The Hawai‘i Civil Rights Commission (HCRC) has enforcement jurisdiction over Hawai‘i’s laws prohibiting discrimination in employment, housing, public accommodations, and access to state and state funded services (on the basis of disability). The HCRC carries out the Hawai‘i constitutional mandate that no person shall be discriminated against in the exercise of their civil rights. Art. I, Sec. 5.

The HCRC supports S.B. No. 1057, S.D.2, which seeks to reduce pay inequalities by requiring job listings to disclose the hourly rate or salary range. The measure also prohibits an employer from discriminating between employees because of any protected category established under state law, by paying wages to employees in an establishment at a rate less than the rate at which the employer pays wages to other employees in the establishment for substantially similar work on jobs the performance of which requires equal skill, effort, and responsibility, and that are performed under similar working conditions.

HRS § 378-2(a)(1) prohibits 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, reproductive health decision, or domestic or sexual violence victim status.

The proposed addition of a new statute to require employer posting and disclosure of pay information and ranges is intended to provide transparency. The proposed amendment of HRS § 378-2.3 in Section 3 of the bill clarifies the Legislature's intent that equal pay applies to all protected bases, and applies to substantially similar work. In the absence of such transparency, it is difficult for applicants and employees to have knowledge and evidence of equal pay violations, or to negotiate for pay equality. Women and minorities have historically been paid lower salaries than their male non-minority counterparts, even for the performance of the same jobs. In the absence of pay transparency, it is difficult to level the playing field. S.B. No. 1057, S.D.2 would remedy that, following other jurisdictions that require employers to disclose hourly rates or salary ranges in job listings.

HCRC supports S.B. 1057, S.D.2.



HAWAII APPLESEED

CENTER FOR LAW & ECONOMIC JUSTICE

Testimony of the Hawai‘i Appleseed Center for Law & Economic Justice
In Support of SB 1057 SD2 – Relating to Employment Earnings
Joint House Committee on Economic Development and Labor & Government Operations
Friday, March 15, 2023, 11:00 AM, Room 423 & Via Videoconference

Dear Chairs Holt and Matayoshi, and members of the Joint Committee:

Thank you for the opportunity to provide testimony in strong support of SB 1057 SD2. In 2018, Hawai‘i took strides to reduce wage gaps in our state by passing an equal pay law. SB 1057 SD2 builds on that progress by requiring job listings to include an hourly rate or salary range and specifying that these employment earnings protections cover all people in protected categories for substantially similar work performed by other employees.

According to the U.S. Bureau of Labor Statistics, Hawai‘i women had median usual weekly earnings of \$797 in 2018, or 82.6 percent of the \$965 median usual weekly earnings of their male counterparts.¹ Unfortunately, that is a *decrease* of 10 percentage points from Hawai‘i women’s earnings peak at 92.8 percent of men’s earnings in 2014.²

If women earned the same pay as comparable men, not only would their pay increase, but poverty for women and their children would fall, too. The poverty rate among working women in Hawai‘i would decrease by more than half, from 5.4 to 2.5 percent, and the poverty rate for families headed by working single mothers would drop by close to half, from 21.3 to 10.7 percent.³ In addition, if working women in Hawai‘i received equal pay, 61.2 percent of working mothers would have increased earnings and the poverty rate among children of working mothers would fall by more than half, from 10.9 percent to 4.5 percent.

We can and should find ways to better ensure that all workers are able to access economic security in the Aloha State, regardless of gender or any other characteristic of their identity. Modest and common-sense proposals, such as requiring employers to release salary ranges to employees and job candidates, as contained within this bill, would move us closer towards that goal.

Mahalo for the opportunity to testify.

¹ “Highlights of women’s earnings in 2018,” U.S. Bureau of Labor Statistics, November 2019, <https://www.bls.gov/opub/reports/womens-earnings/2018/home.htm>

² “Highlights of women’s earnings in 2014,” U.S. Bureau of Labor Statistics, November 2015, <https://www.bls.gov/opub/reports/womens-earnings/archive/highlights-of-womens-earnings-in-2014.pdf>

³ “The Economic Impact of Equal Pay by State,” Institute for Women’s Policy Research, February 2015, <https://statusofwomendata.org/wp-content/uploads/2015/02/C457.pdf>

SB-1057-SD-2

Submitted on: 3/15/2023 1:03:39 PM

Testimony for ECD on 3/17/2023 11:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Marcia A Armstrong	AAUW	Support	Written Testimony Only

Comments:

I am writing in support of SB1057. as it pertains to job postings requiring a salary or hourly range.. I have worked with young women and college students on negotiation skills for initial salary and for salary increases. Because many employers use past saalary as a basis for employment rates, individuals who have had lower paying jobs can be offered lower pay than they deserve.. 40+ years ago when I moved from Florida, which had a much lower cost of living and lower median wage, I was offered that as my base salary in the UH system. Had I been give the range, it would have made a significant difference. Slaries and wages should be transparent to all.



To: House Economic Development and Labor and Government Operations Committees
Hearing Date/Time: March 17, 2023 11:00 am
Re: Testimony in SUPPORT of SB1057 SD2

Dear Chairs Holt and Matayoshi, Vice Chairs Lamosao and Garrett, and the Members of Committee,

Members of AAUW of Hawaii thank you for this opportunity to testify in strong support of SB1057 which would reduce pay inequity by requiring job listings to disclose the hourly rate or salary range reasonably reflecting actual expected compensation.

Hawaii can be a leader in pay equity and was making significant progress in reducing the pay gap until a few years ago. However, the gap has now worsened according to US Bureau of Labor statistics. In 2020, women's-to-men's earning ratio in Hawaii fell below 80% for the first time since 2011.

Salary transparency plays a role in ensuring pay equity and can do so with minimal cost or disruption to employers. Research shows that addressing pay inequality improves work force measures as attendance, cooperation and productivity, and decreases employee turnover.

Please support SB1057 SD2.

The American Association of University Women (AAUW) of Hawaii is an all volunteer, statewide chapter of a national organization and is made up of six branches: Hilo, Honolulu, Kaua'i, Kona, Maui, and Windward Oahu. UH Hilo, UH Manoa, UH Maui College, and Windward Community College are also AAUW partners. AAUW's mission is to advance gender equity for equal opportunities in education, at workplace and for economic security, and in leadership.

Sincerely,

Nancy Rustad
Public Policy Committee, AAUW of Hawaii
publicpolicy-hi@aauw.net



To: House Committees on Economic Development and on Labor & Government
Operations

Hearing Date/Time: Friday, March 17, 2023, 11:00 AM

Re: Testimony in SUPPORT of SB1057 SD2

Dear Chairs Holt and Matayoshi, Vice Chairs Lamosao and Garrett, and Committee Members,

Members of Hawaii State Democratic Women's Caucus thank you for this opportunity to testify in support of SB1057 SD2, which would require job listings to include an hourly rate or salary range, in order to increase pay transparency and equal pay for all employees. It would also prohibit employers from discriminating, by providing unequal pay, against employees in protected categories established by state law.

Pay transparency can be implemented with minimal cost or disruption to employers, and the research shows pay transparency and attempts at pay equity will attract millennials, making the employers in Hawaii more attractive in this competitive market to attract competent employees. Hawaii can be a leader in the field of pay equity, as Hawaii has led the way in civil rights.

Thank you for your consideration.

Sincerely,

Members of Hawaii State Democratic Women's Caucus

The Hawai'i State Democratic Women's Caucus is a catalyst for progressive, social, economic, and political change through action on critical issues facing Hawai'i's women and girls.



**TESTIMONY OF TINA YAMAKI, PRESIDENT
RETAIL MERCHANTS OF HAWAII**

March 17, 2023

Re: SB 1057 SD2 RELATING TO EMPLOYMENT EARNINGS

Good morning, Chair Holt, and Chair Matayoshi and members of the House Committee on Economic Development and the House Committee on Labor & Government Operations. I am Tina Yamaki, President of the Retail Merchants of Hawaii and I appreciate this opportunity to testify.

The Retail Merchants of Hawaii was founded in 1901, RMH is a statewide, not for profit trade organization committed to the growth and development of the retail industry in Hawaii. Our membership includes small mom & pop stores, large box stores, resellers, luxury retail, department stores, shopping malls, local, national, and international retailers, chains, and everyone in between.

While we understand the intent of SB 1057 SD2 Relating to Employment Earnings, we are respectfully opposed. This measure requires job listings to include an hourly rate or salary range; and prohibits an employer from discriminating between employees because of any protected category established under state law, by paying wages to employees in an establishment at a rate less than the rate at which the employer pays wages to other employees in the establishment for substantially similar work on jobs the performance of which requires equal skill, effort, and responsibility, and that are performed under similar working conditions.

Retailers like many other industries are having a tough time finding qualified employees. If the salary range is mandated to be in ads, **employers would have an even small pool of candidates to consider**. The candidates would only be concentrating on the pay and would most likely jump if another company is offering more. **These candidates would not consider company culture or promotion ability, or other benefits offered**. Retail has a lot of high school students working in our stores. We would also like to have flexibility on what we offer to those who are seeking their first job vs those with experience.

Furthermore, it also **allows the competition as well as the employees in the company will find out what your company is offering. For current employees this may spark jealousy and resentment therefore making the workplace a toxic environment**. Employers all vary in how much they pay each employee that is based on their job description and experience.

Retail is an extremely competitive industry. However, we must also recognize that larger businesses may be able to pay their employees more than small mom and pop type businesses. **We need to protect and help small businesses in Hawaii. Measures like this have the potential to hurt businesses attract employees, especially our smaller locally owned and operated ones**.

Mahalo again for this opportunity to testify.



**Testimony to the House Committee on Economic Development / Labor &
Government Operations**

**Friday, March 17, 2023, at 11:00 A.M.
Conference Room 423 & Videoconference**

RE: SB 1057 SD2 Relating to Employment Earnings

Aloha Chair, Vice Chair, and Members of the Committee:

The Chamber of Commerce Hawaii ("The Chamber") **opposes SB 1057 SD2**, which requires job listings to include an hourly rate or salary range. Prohibits an employer from discriminating between employees because of any protected category established under state law, by paying wages to employees in an establishment at a rate less than the rate at which the employer pays wages to other employees in the establishment for substantially similar work on jobs the performance of which requires equal skill, effort, and responsibility, and that are performed under similar working conditions.

While we appreciate the intentions of this bill, we believe that it will ultimately do more harm than good for both employers and job seekers. Including an hourly or salary range on job listings could limit a company's ability to negotiate compensation packages with potential hires, resulting in less flexibility and fewer options for both the employer and the employee. This could impact the amount of qualified candidates who are willing to take the job, which would hurt an already struggling workforce problem in our state.

Furthermore, this proposal could have a negative impact on job seekers. While the intention is to promote transparency, it could actually limit the opportunities available to job seekers who might otherwise be willing to consider a position with a lower advertised salary, but with the potential for greater compensation and benefits down the line. Additionally, this legislation could lead to a standstill in the growth of salary ranges for certain job types, which could stifle competition and innovation in the marketplace and overall hurt the job seeker.

We believe that the best way to promote transparency in the job market is to encourage companies to provide salary information voluntarily. Many employers already do this, recognizing that it helps attract qualified candidates and fosters trust and transparency in the hiring process. Mandating this practice through legislation and a mandate, however, is not the answer.

The Chamber is Hawaii's leading statewide business advocacy organization, representing about 2,000+ businesses. Approximately 80% of our members are small businesses with less than 20 employees. As the "Voice of Business" in Hawaii, the organization works on behalf of members and the entire business community to improve the state's economic climate and to foster positive action on issues of common concern.



Chamber *of* Commerce HAWAII
The Voice of Business

Thank you for the opportunity to testify.



**Senate Committee on Economic Development/Labor & Government
Operations
Friday, March 17, 2023 at 11:00 A.M.**

RE: SB 1057 SD2 Relating to Employment Earnings

Chair, Vice Chair, and Members of the Committee:

The Society of Human Resource Management (SHRM) Hawaii respectfully opposes SB 1057 – Relating to Employment Earnings which requires job listings to include an hourly rate or salary range. Prohibits an employer from discriminating between employees because of any protected category established under state law, by paying wages to employees in an establishment at a rate less than the rate at which the employer pays wages to other employees in the establishment for substantially similar work on jobs the performance of which requires equal skill, effort, and responsibility, and that are performed under similar working conditions.

SHRM Hawaii serves and represents nearly 600 members and employers' statewide and human resource management is a critical component to the success and survival of the many businesses that make up our local economy. HR professionals are responsible for evaluating and balancing the needs of both the employers and employees and caring for businesses' most valuable asset: the working people of our state.

As human resources professionals, we believe that including an hourly rate or salary range on job postings can limit an organization's ability to negotiate salaries with potential employees, and can also severely limit the pool of qualified candidates who are willing to take the job. Salary itself is often one component of a compensation package. Posting a salary or range may unduly focus the potential applicant on only one aspect of the position. Employers are competing for talent, often within the same industry or skill set. Requiring pay rates in job listings may remove their most competitive advantage.

Additionally, posting a salary range can create a false sense of security for both the employer and the employee, as it can prevent either party from recognizing the full potential value of the job.



Posting a salary range can also create an environment of mistrust between the employer and the potential employee, as the employee may view the offer as an attempt to undervalue their skill and experience. Such a requirement also potentially causes “salary compression” issues with existing employees and may foster an increased turnover rate for the employer. In summary, including an hourly rate or salary range on job postings can do more harm than good.

Hawaii Employers have to compete for limited talent. Requiring pay rates in job listings takes away valuable competitive advantage, particularly for small and local employers. This bill puts them at a significant recruiting disadvantage to larger and more predatory companies who could utilize pay rate publishing requirements to compete unfairly.

There are also unaddressed concerns about compliance after hire. Poor performance by employees, changing market conditions, employee turnover reorganizations needed for survival, and many other factors are valid reasons for changing pay rates. Without enforcement, false representations of pay rates and practices will divide those employers who play fair and those who don't, using bait-and-switch practices and other unethical tactics.

Finally, with the passing of the Salary Ban Law for Hawaii's Equal Pay Act that took effect on January 1, 2019, the Legislature already passed a bill that prevents employers from asking candidates about their prior salary, thus already providing much of the gender equity protection this currently bill likely seeks to advance, without the problematic anti-competitive issues associated with publishing salaries.

Given the above, we respectfully ask that you do not advance this bill. We look forward to contributing positively to the development of sound public policy and continuing to serve as a resource to the legislature on matters related to labor and employment laws.

Thank you for this opportunity to provide testimony.

Dailyn Yanagida
Legislative Affairs Committee Co-Chair

Rosanne M. Nolan
Legislative Affairs Committee Co-Chair



SB-1057-SD-2

Submitted on: 3/16/2023 10:39:23 AM

Testimony for ECD on 3/17/2023 11:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Amy Monk	Hawai`i State Democratic Women's Caucus	Support	Written Testimony Only

Comments:

ECD/LGO Chairs, Vice Chair and Members.

Thank you for accepting this testimony in SUPPORT of SB1057.

Hawai`i's women continue to earn less than their male counterparts doing substantially the same work. Pay check transparency will require employers to clearly advertise a positions salary or salary band. The State of Hawaii and the Federal government clearly advertise the grade and salary of positions, we should allow private employees to enjoy the same kind of pay check transparency offered to public workers.

Please pass SB1057 at your soonest opportunity.

Sincerely,

Amy Monk.



745 Fort St. Mall
17th Floor
Honolulu, HI 96815

808-521-9500
NFIB.com

March 16, 2023

TO: Representative Daniel Holt, Chair
Representative Rachele F. Lamosao, Vice Chair
Members of the Committee on Economic Development

Representative Scot Z. Matayoshi, Chair
Representative Andrew Takuya Garrett, Vice Chair
Members of the Committee on Labor &
Government Operations

FR: Michael Iosua, State Director
NFIB, Hawaii Chapter

RE: **OPPOSITION** TO SB 1057, SD2 – RELATING TO EMPLOYMENT EARNINGS
Hearing date – March 17, 2023 at 11:00 a.m.

Aloha Chair Holt, Chair Matayoshi and members of the committees,

Mahalo for the opportunity to submit testimony on behalf of NFIB's Hawaii Chapter in **OPPOSITION** to SB 1057, SD2 – RELATING TO EMPLOYMENT EARNINGS. NFIB is a nonprofit, nonpartisan, and member-driven organization exclusively dedicated to small and independent businesses. With members in all four counties, NFIB's Hawaii chapter advocates on issues that affect Hawaii's small and independent business owners.

SB 1057, SD2 would require job listings to include an hourly rate or salary range, as well as amend the protections for employees from discrimination based on any protected category established under HRS § 378-2(a)(1). While well intended, the wage transparency requirement in SB 1057, SD2 would do little to address or provide additional protections against a gender pay gap already included in current laws. Instead, this legislation would set employers up for unnecessary and costly burdens that small businesses are unable to absorb at this time.

Disclosing salary information creates a needless administrative burden that doesn't recognize the particularized needs of Hawaii small businesses. Job responsibilities, titles, and specific roles with small and independent businesses are often imprecise and ever evolving. Compensation and wage ranges may not be uniform for any given available position but can fluctuate based

on individual candidates' qualifications, experience, availability as well as the employee's willingness to take on new job duties.

Additionally, such mandates do not differentiate between large corporations and small businesses, and always disproportionately burden the latter. Large employers can hire human resource staff to determine salaries, document and analyze pay ranges, create job descriptions, and train employees on new laws. They are also far more equipped to handle transparency guidelines, without putting additional job responsibilities and stress on existing employees. Small businesses, on the other hand, would likely depend on existing employees to perform these tasks, as many lack dedicated human resource staff. Otherwise, small businesses would have to take on expenses they would normally not incur and could potentially not afford.

The bill also would potentially impact small businesses by intruding on the privacy of employees and employers. Requiring employers to disclose salary information could reveal sensitive and personal information about employees and could create tension and resentment in the workplace. It would also encourage employees to leave for what they may falsely believe is a higher-paying job just based on the salary range or create an environment of unhealthy competition among coworkers.

Simply put, SB 1057, SD2 does not provide any substantial protections against the gender pay gap but does significantly impact small and independent businesses in a negative way. These businesses cannot afford the substantial burdens of this bill, especially during this fragile economic period. Accordingly, NFIB urges you to defer this bill. Mahalo for your consideration.



Ryan Tanaka, Chairman – Giovanni Pastrami Ave Kwok, Incoming Chair- Jade Dynasty

Tambara Garrick, Secretary – Hawaii Farm Project

Kahili Soon, Treasurer – Hukilau Marketplace

Greg Maples, Past Chair – Polynesian Cultural Center

Sheryl Matsuoka, Executive Director Ginny Wright, Operations Assistant Holly Kessler, Director of Membership Relations

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Date: March 16, 2023

To: Rep. Daniel Holt, Chair
Rep. Rachele F. Lamosao, Vicr Chair
Members of the Committee on Economic Dvelopment

Rep. Scot Z. Matayoshi, Chair
Rep. Andrew Takuya Garrett, Vice Chair
Members of the Committee on Labor & Government Operations

From: Victor Lim, Legislative Lead

Subj: SB1057, SD2 Relating to Employment Earnings

The Hawaii Restaurant Association representing 4,017 Eating and Drinking Place locations understand the intent of SB1057, SD2 but respectfully opposes the requirements to include an hourly rate or salary range in job listings.

We believe that including an hourly rate or salary rangeon job postings can limit and business’s ability to negotiate salaries with potential employees especially in these tight labor times by limiting the pool of qualified candidates who might be willing to take the job. Salary by itself is only one component of the whole compensation package.

Posting of salary ranges could also negatively affect existing employees and cuase an increase in turnover rate and can do more harm than good.

Mahalo for giving us the opportunity to share our views.





MAUI
CHAMBER OF COMMERCE
VOICE OF BUSINESS

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**HEARING BEFORE THE HOUSE COMMITTEE ON ECONOMIC DEVELOPMENT AND
HOUSE COMMITTEE ON LABOR & GOVERNMENT OPERATIONS
HAWAII STATE CAPITOL, HOUSE CONFERENCE ROOM 423
FRIDAY, MARCH 17, 2023 AT 11:00AM**

To The Honorable Representative Daniel Holt, Chair
The Honorable Representative Rachele Lamosao, Vice Chair
Members of the Committee on Economic Development,

To The Honorable Representative Scot Z. Matayoshi, Chair
The Honorable Representative Andrew Takuya Garrett, Vice Chair
Members of the Committee on Labor & Government Operations,

OPPOSITION TO SB1057 SD2 RELATING TO EMPLOYMENT EARNINGS

The Maui Chamber of Commerce opposes SB1057 that requires job listings to include an hourly rate or salary range. While we understand the intent of this bill, we are concerned that it will have unintended negative consequences. In hiring, businesses often need flexibility in pay ranges so they can negotiate compensation packages and make adjustments based on skill level and previous experience, neither of which you have prior to posting the job.

Additionally, it may reduce the number of job seekers an employer could receive as pay ranges alone do not account for benefits, job perks, and company culture, as well as hinder job seekers applying for positions that may provide valuable experience and opportunities for promotion and advancement.

Given workforce shortages and changing worker priorities, we already see many employers posting their pay and salary ranges up front and prior to scheduling interviews, but understand why others do not.

Mahalo for the opportunity to provide testimony on SB1057 SD2.

Sincerely,

Pamela Tumpap
President

To advance and promote a healthy economic environment for business, advocating for a responsive government and quality education, while preserving Maui's unique community characteristics.

SB-1057-SD-2

Submitted on: 3/15/2023 10:50:01 AM

Testimony for ECD on 3/17/2023 11:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Caroline Kunitake	Individual	Support	Written Testimony Only

Comments:

Please support SB1057 SD2.

SB-1057-SD-2

Submitted on: 3/15/2023 2:45:37 PM

Testimony for ECD on 3/17/2023 11:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Younghee Overly	Individual	Support	Written Testimony Only

Comments:

Thank you for this opportunity to submit a testimony in support of SB1057 SD2. Posting salary range would provide the transparency which would narrow wage gaps and even retain employees. As a manager at IBM in 2000s, I used the salary range as employee retention tool and it's wonderful to see this now being recommended by business consultants such as Deloitte, observed by Harvard Business Review and even Payscale based on research. Please pass this measure to end the intended and unintended wage discriminations in Hawaii.

Hearing Date: Friday, March 17, 2023 11:00 am, Room 423

To: House Committee on Economic Development
Chair, Representative Daniel Holt
Vice Chair, Representative Rachele Lamosao

House Committee on Labor and Government Operations
Chair, Representative Scot Z. Matayoshi
Vice Chair, Representative Andrew Takuya Garrett

From: Jean Evans, (Individual)

Re: TESTIMONY IN SUPPORT OF SB 1057, SD2 - RELATING TO EMPLOYMENT EARNINGS

My name is Jean Evans. I retired after 40 years holding executive positions in Hawaii non-profit agencies. In these positions I have interviewed and hired hundreds of applicants. I am also a member of AAUW Hawaii.

I support of SB 1057, SD2 Relating to Employment Earnings

This salary transparency bill requires job listings to include an hourly rate or salary range.

It is well documented that there is a large gap in gender pay across the nation and in Hawaii where women earned only 79% of what men earn in 2020. This pay gap hits women especially hard here in Hawaii with our notoriously high cost of living often making it very difficult to make ends meet.

Non-profit agencies in Hawaii have historically offered low salaries which did not reflect the level of education, experience and responsibility associated with the positions. These agencies, which were predominately filled by females with a few male top executives, were seen as helping and giving organizations and so perpetuated the idea that the women should work for lower wages for the good of the community. Slowly this mind-set is changing to reflect a more professional attitude toward the non-profit workforce. However, this change has been slow and contributes to the state-wide wage gap.

When I applied for the two executive director positions which I subsequently secured, I had no idea of the salary ranges or even if there were any. When I inquired about the salary I was told only that it was "flexible". That response did not give me a clue as to what to expect. Only after being in these positions with a salary I thought fair, did I discover that previous Executive Directors were compensated well above me. In one case the salary was over **twice** my salary. Interestingly, one was a female and the other a male. Offered salaries amounts seemed arbitrary and unfair and got me looking for positions elsewhere.

As an executive seeking to hire qualified people, I interviewed many good candidates only to find out that their salary requirements were higher than I could offer. If I had been required to post the ranges I could have saved their time and mine. Based on the budget, I knew what the salary ranges were, but formally posting those was not the customary way recruitment was done. I realize now that compensation transparency would have helped me both as an employer and employee.

Employee turnover continues to be a problem in Hawaii, especially when unemployment is low. This bill is an important step in reducing turnover by ensuring competitive salaries, equal treatment, and assisting employers to control their expenses with set pay ranges.

Let Hawaii become a leader in the area of salary transparency by passing this legislation as another step toward leveling salary discrepancies and retaining talented employees. I see this measure as a win for both employers and employees. I encourage your support for this bill.

Mahalo for allowing me to submit my testimony today.

Jean Evans

SB-1057-SD-2

Submitted on: 3/15/2023 6:08:07 PM

Testimony for ECD on 3/17/2023 11:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Robert Douglas	Individual	Support	Written Testimony Only

Comments:

Everyone should have equal pay and benefits.

SB-1057-SD-2

Submitted on: 3/15/2023 10:40:39 PM

Testimony for ECD on 3/17/2023 11:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Will Caron	Individual	Support	Written Testimony Only

Comments:

Thank you for the opportunity to provide testimony in strong support of SB1057 SD2. In 2018, Hawai'i took strides to reduce wage gaps in our state by passing an equal pay law. SB1057 SD2 builds on that progress by requiring job listings to include an hourly rate or salary range and specifying that these employment earnings protections cover all people in protected categories for substantially similar work performed by other employees. Please support this bill.

SB-1057-SD-2

Submitted on: 3/15/2023 10:43:20 PM

Testimony for ECD on 3/17/2023 11:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Abby Simmons	Individual	Support	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and esteemed members of the committee,

I, Abby Simmons from Honolulu, testify in strong support of SB1057.

The bill provides the transparency needed for more equal pay and prohibits an employer from discriminating between employees because of any protected category established by state law.

This bill makes sense and moves us toward more pay equity and pay transparency, which are goals fundamental to a prosperous, free and just society for all.

Thank you for considering my testimony.

SB-1057-SD-2

Submitted on: 3/15/2023 11:20:52 PM

Testimony for ECD on 3/17/2023 11:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Marissa Matsushige	Individual	Support	Written Testimony Only

Comments:

Honorable Chair, Vice Chair and Committee Members of Economic Development and Labor and Development,

My name is Marissa Matsushige and I am writing this testimony in support of SB1057 relating to equal pay in a workplace.

One of the biggest issues that I see relating to this bill is the wage gap between male and female employees. I am a strong believer that the labor that men and women put in at a workplace are equivalent and therefore should be paid as such. Further, the same with people of color as well. There should be no wage gap when all employees are doing the same thing. Pay should not be based solely on race and gender; it only highlights the inequality, sexism, and racism that this country is "built on."

This bill will combat that inequality and properly pay their employees the money that their labor is worth. In 2023, there is no reason for us to be discriminating against women and women of color through their wages. They deserve that salary just as men do.

Thank you for your time,

Marissa Matsushige

marissa.mats05@gmail.com

SB-1057-SD-2

Submitted on: 3/15/2023 11:34:05 PM

Testimony for ECD on 3/17/2023 11:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Cards Pintor	Individual	Support	Written Testimony Only

Comments:

Aloha,

I support this bill.

Mahalo nui,

Cards Pintor

SB-1057-SD-2

Submitted on: 3/16/2023 8:11:31 AM

Testimony for ECD on 3/17/2023 11:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Jody Shiroma	Individual	Support	Written Testimony Only

Comments:

Aloha Chairs, Vice Chairs and esteemed Committee members,

I testify in strong support of SB1057, which provides the transparency needed for more equal pay and prohibits an employer from discriminating between employees because of any protected category established by state law.

This bill moves us toward more pay equity and pay transparency, which are goals fundamental to a prosperous, free and just society for all.

Mahalo for your consideration.

SB-1057-SD-2

Submitted on: 3/16/2023 8:23:33 AM

Testimony for ECD on 3/17/2023 11:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Haylin Dennison	Individual	Support	Written Testimony Only

Comments:

Aloha Chairs, Vice Chairs and esteemed members of the committees,

I testify in strong support of SB1057.

The bill provides the transparency needed for more equal pay and prohibits an employer from discriminating between employees because of any protected category established by state law.

This bill makes sense and moves us toward more pay equity and pay transparency, which are goals fundamental to a prosperous, free and just society for all.

Thank you for considering my testimony.

SB-1057-SD-2

Submitted on: 3/16/2023 8:36:29 AM

Testimony for ECD on 3/17/2023 11:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Breanna Zoey	Individual	Support	Written Testimony Only

Comments:

Aloha Chairs, Vice Chairs and esteemed members of the committees,

I am testifying in **strong support** of SB1057.

As a transgender individual, I sometimes suspect that I may be getting paid less than my cisgender coworker counterparts who are doing substantially similar or the same work as I. It's not a good feeling to have, and suspicions like mine are unfortunately true for toooooo many working people who are a part of a protected class, especially women and LGBTQ+ folks.

This measure helps provide the transparency needed for more equal pay and prohibits an employer from discriminating between employees because of any protected category established by state law. This bill makes sense and moves us toward greater pay equity and pay transparency, which are goals fundamental to a prosperous, free and just society for all. This kind of pay transparency has already been adopted by several other states and it is so valuable to job seekers when salary ranges are posted in the job descriptions.

Thank you for hearing my testimony. -breanna zoey (she/they)

SB-1057-SD-2

Submitted on: 3/16/2023 8:54:24 AM

Testimony for ECD on 3/17/2023 11:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Nanea Lo	Individual	Support	Written Testimony Only

Comments:

Hello,

My name is Nanea Lo. I'm born and raised in the Hawaiian Kingdom a Kanaka Maoli.

I'm writing in SUPPORT of SB1057 SD2.

Yesterday, March 14th 2023, was "Equal Pay Day" in Hawai'i, marking the average amount of time a woman would need to work past December 31st of the previous year to catch up to the annual earnings of a man in a similar position. This disparity in pay based on gender is unacceptable.

To address this issue, my office introduced a bill this year (HB745) which offered clarifying legal language and provisions in order to enhance gender equity in our labor laws - but more than that, it would have required employers to disclose wage ranges to employees & prospective employees.

While that bill was not heard in the House, a similar bill, SB1057, has made it through the Senate and has now crossed over to the House, moving it closer to becoming law.

Specifically, SB1057 would:

- Require job listings to include an hourly rate or salary range; and
- Prohibit an employer from discriminating between employees because of any protected category established under state law, by paying wages to employees in an establishment at a rate less than the rate at which the employer pays wages to other employees in the establishment for substantially similar work on jobs the performance of which requires equal skill, effort, and responsibility, and that are performed under similar working conditions.
- As per the language of my bill, I believe that "transparency laws give workers, employers, policymakers, and the public an important tool to combat gender wage gap and promote gender, racial, and economic equity." Moreover, "people of all genders [should be] paid equally for work that is substantially equal with respect to the skill, effort, and responsibility required to perform the work and the conditions under which the work is performed. The actual or perceived gender classifications of employees as men, women, gender-nonconforming, or other culturally specific identities (such as māhū) should not affect the rate at which a worker is compensated for their labor."

SUPPORT of SB1057 SD2.

me ke aloha 'āina,
Nanea Lo, Mō'ili'ili

SB-1057-SD-2

Submitted on: 3/16/2023 9:01:41 AM

Testimony for ECD on 3/17/2023 11:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Nate Hix	Individual	Support	Written Testimony Only

Comments:

Pay transparency can help end the significant pay gaps that exist behind different demographics and also provide job seekers with better information before applying for jobs. In addition to passing this bill, please amend it to remove the exemptions for positions subject to collective bargaining and internal positions.

SB-1057-SD-2

Submitted on: 3/16/2023 9:16:50 AM

Testimony for ECD on 3/17/2023 11:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Maddalynn Seseapasara	Individual	Support	Written Testimony Only

Comments:

Aloha Chairs, Vice Chairs and esteemed members of the committees,

I testify in strong support of SB1057.

The bill provides the transparency needed for more equal pay and prohibits an employer from discriminating between employees because of any protected category established by state law.

This bill makes sense and moves us toward more pay equity and pay transparency, which are goals fundamental to a prosperous, free and just society for all.

Thank you for considering my testimony.

To: The House Committee on Economic Development
The House Committee on Labor & Government Operations
Hearing Date/Time: March 17, 2023 at 11AM
Place: Hawaii State Capitol, Rm. 423
Subject: Testimony in **support with revisions** of SB1057 SD2 RELATING TO EMPLOYMENT EARNINGS

Dear Chair Holt, Chair Matayoshi, and Members of the Committees,

I **support the intent** of SB1057 SD2 that aims to remedy the gender pay gap in Hawaii.

Throughout history, women have been discriminated against and still face many systemic biases. In Hawaii, women earn 79 cents to the man's dollar, according to the United States Bureau of Labor and Statistics. In addition, the pay gap is still an ongoing problem that disproportionately affects certain racial groups, specifically Native Hawaiians and Pacific Islanders in the State.

SB1057 SD2 aims to end the gender pay gap and strengthen equal pay and pay transparency. The purpose of the bill is to require employers to disclose the hourly rate and salary range on job listings. While this bill is a step forward in the right direction, it needs to go further.

I humbly request that this bill is amended to adopt the language contained in HB745 (2023) RELATING TO EQUAL PAY. Not only is the language more comprehensive, this is a bill that has been in the making for the past three years. This bill originates from the 2020 HB1701 and SB2253 RELATING TO EQUAL PAY, two bills that I was heavily invested in during my time as an intern at the Hawaii State Capitol. HB745 goes further by preventing wage discrimination, providing remedies for pay disparities, and allowing for the open flow of pay transparency among employees, without the fear of retaliation from employers.

We have to be unequivocal with the fact that women's rights are non-negotiable. Equality for women is non-negotiable. It would be preferable to have a system where women are not disrespected and put down. Hopefully Hawaii takes that leap forward and these ideas take hold in our nation, and hopefully the rest of the world.

For the reasons above, **I support this measure with revisions.**

Thank you for the opportunity to testify on this important measure.

Jarret Pascual

SB-1057-SD-2

Submitted on: 3/16/2023 11:05:46 AM

Testimony for ECD on 3/17/2023 11:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Anna Ezzy	Individual	Support	Written Testimony Only

Comments:

Aloha,

I **strongly support** SB1057 SD2 to codify wage transparency, supporting more equal pay for all. I am currently a graduate student at UH Hilo and will benefit from the protections of SB1057 as I enter the workforce, allowing me to earn what others in my field do and be financially independent.

Mahalo,

Anna

LATE

LATE

SB-1057-SD-2

Submitted on: 3/16/2023 3:31:11 PM

Testimony for ECD on 3/17/2023 11:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Nikki-Ann Yee	Individual	Support	Written Testimony Only

Comments:

I testify in strong support of SB1057.

The bill provides the transparency needed for more equal pay and prohibits an employer from discriminating between employees because of any protected category established by state law.

This bill makes sense and moves us toward more pay equity and pay transparency, which are goals fundamental to a prosperous, free and just society for all.

Mahalo for the opportunity to testify!

LATE

LATE

SB-1057-SD-2

Submitted on: 3/16/2023 5:13:04 PM

Testimony for ECD on 3/17/2023 11:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Doris Segal Matsunaga	Individual	Support	Written Testimony Only

Comments:

I support the Equal Pay Bill, SB1057,SD2

Mahalo

Doris Segal Matsunaga

Waimea, 96743

To: Hawaii State Senate Committees Economic Development
and Labor & Government Operations

Hearing Date/Time: Thursday, March 17, 2023, 11:00am

Place: Hawaii State Capitol, CR423 & Videoconference

Re: Judith Ann Armstrong is in strong support of SB 1057 Equal Pay Bill

LATE

LATE

Dear Members of the Economic Development and Labor & Government Operations Committees,

I, Judith Ann Armstrong, am in strong support of SB1057 relating to Employment Earnings

This bill can make Hawaii a leader in the area of pay equity, by providing pay transparency and adding protections to our statutes. The main point of the bill is to require employers to list an hourly rate of salary range when posting job openings. The bill also provides more comprehensive language regarding protected classes, justifications for pay differences, exceptions and defines several terms.

The gender pay gap has worsened in Hawaii: Women in Hawaii earned 79.4% of what men earned in 2020 compared to 82.3% nationwide. This makes us 37th among all states and the District of Columbia in income equality. The state's ratio fell below 80% for the first time since 2011. Thank you for this opportunity to testify in support of SB1057.

Sincerely,

Judith Ann Armstrong

SB-1057-SD-2

Submitted on: 3/17/2023 8:52:14 AM

Testimony for ECD on 3/17/2023 11:00:00 AM

LATE

LATE

Submitted By	Organization	Testifier Position	Testify
Marc Delorme	Individual	Support	Written Testimony Only

Comments:

Please pass SB 1057. If residents are going to aim for a living wage that will allow them to access affordable housing, then they need to know what they will be earning before applying for a position.