

JOSH GREEN, M.D.
GOVERNOR

SYLVIA LUKE
LIEUTENANT GOVERNOR



JADE T. BUTAY
DIRECTOR

WILLIAM G. KUNSTMAN
DEPUTY DIRECTOR

STATE OF HAWAII
KA MOKU'ĀINA O HAWAII
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
KA 'OIHANA PONO LIMAHANA

March 22, 2023

To: The Honorable Sharon Y. Moriwaki, Chair,
The Honorable Chris Lee, Vice Chair, and
Members of the Senate Committee on Labor and Technology

Date: Wednesday, March 22, 2023

Time: 3:00 p.m.

Place: Conference Room 224, State Capitol, and via videoconference

From: Jade T. Butay, Director
Department of Labor and Industrial Relations (DLIR)

Re: S.C.R. No. 155 REQUESTING THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS TO CONDUCT A STUDY ON THE IMPLEMENTATION OF A STATE PROGRAM THAT REQUIRES EMPLOYERS TO PROVIDE A MINIMUM AMOUNT OF PAID SICK LEAVE AND SUPPLEMENTAL PAID SICK LEAVE TO EMPLOYEES, WITH A FOCUS ON THE EFFECTS OF MANDATORY PAID SICK LEAVE ON SMALL BUSINESSES AND LOW-INCOME EMPLOYEES.

I. OVERVIEW OF PROPOSED LEGISLATION

The DLIR **supports the intent** and suggests a working group may be a more appropriate approach to examining the issues involved. SCR155 requests the Department of Labor and Industrial Relations (DLIR) to conduct a study on the implementation of a state program that requires employers to provide a minimum amount of paid sick leave and supplemental paid sick leave to employees, with a focus on the effects of mandatory paid sick leave on small businesses and low-income employees. The DLIR is requested to complete this study and report no later than twenty days prior to the convening of the Regular Session of 2024.

II. CURRENT LAW

Chapter 398, HRS, requires employers with one hundred or more employees to provide qualifying employees with four weeks of unpaid, job-protected leave to care for a sick family member or for the birth or adoption of a child. The employee may elect to use accrued paid leave for any part of the four weeks. The law does not provide leave for the employee's own serious health condition.

Chapter 392, HRS, requires employers to have TDI coverage which pays up to 26 weeks of partial wage replacement to eligible employees who are disabled from

working due to non-industrial sickness or injury. Benefits are not payable to employees who are capable of working but take leave from work to care for another person. TDI does not offer job protection.

Chapter 393, HRS, requires employers to provide Hawaii employees, who suffer a disability due to non-work related illness or injury, with adequate medical coverage for non-work related illness or injury, protecting them from the high cost of medical and hospital care. Employers must provide health care coverage to employees who work at least twenty (20) hours per week and earn 86.67 times the current Hawaii minimum wage a month after four (4) consecutive weeks of employment.

III. COMMENTS ON THE SENATE CONCURRENT RESOLUTION

The DLIR supports efforts to research and provide updated data for implementing a state program requiring employers to provide a minimum amount of paid sick leave and supplemental paid sick leave to employees. However, the department suggests convening a working group to help ensure that stakeholders, including the department, understand the complexities involved in the interplay of various labor laws and how mandatory paid sick leave and supplemental paid sick leave would interact with those laws.

For example, an employer is required to secure TDI and prepaid health care insurance (PHC) benefits for their employees. An employer may self-insure if the employer provides satisfactory proof to the director of the employer's financial solvency and TDI and PHC plan approval. Self-insured plans are required to provide disability and healthcare benefits that are at least as favorable as the TDI and PHC laws, Chapters 392 and 393, HRS.

Self-insured plans provide variable substitutions of benefits in an effort to ensure a more favorable or richer benefit outcome. As an example, some self-insured plans provide for Paid Time Off (PTO) to satisfy the TDI law. The PTO benefit allows for an employee to care for themselves and/or care for their family member. A plan with a PTO benefit is more favorable than the TDI law as the TDI law only provides for care of the employee. How would the provision of mandatory paid sick leave and supplemental paid sick leave relate to such self-insured plans?

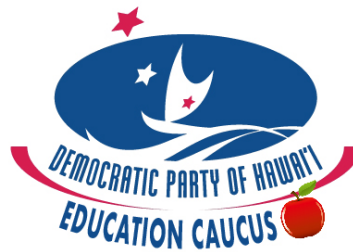
Whether a study or a working group, the DLIR suggests the addition of organizations representing businesses and community members that understand business development and economic growth sustainability. Similarly, the department suggests the addition of more organizations representing labor organizations to represent organized labor.

If the resolution calls for a study, the DLIR anticipates having to procure legal experts to evaluate the impacts to the Federal Fair Labor Standards Act (FLSA) and existing state laws on health benefits, temporary disability, and workers

compensation. Additionally, the department suggests this legal review include the Employee Retirement Income Security Act (ERISA), which broadly governs state laws governing employee benefit plans. Including an ERISA legal analysis would help ensure any proposed employee benefit plan is both compliant with ERISA and does not affect Hawaii's Prepaid Health Care Law, which has an exemption from preemption by ERISA.

This study would require an appropriation to procure the legal analysis suggested above. In considering the complexities involved with the study, including the procurement processes and conferring with the stakeholders, the DLIR suggests that the report should be due to the 2025 Legislature.

Should the resolution result in a working group, the DLIR suggests findings and recommendations for the 2024 Legislature. Such findings and recommendations could include a request for an appropriation to fund a study based on the working group's preliminary work to facilitate the implementation of paid sick leave and ensure the provision of paid sick leave fits in with the pre-existing labor laws.



SCR 155, REQUESTING THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS TO CONDUCT A STUDY ON THE IMPLEMENTATION OF A STATE PROGRAM THAT REQUIRES EMPLOYERS TO PROVIDE A MINIMUM AMOUNT OF PAID SICK LEAVE AND SUPPLEMENTAL PAID SICK LEAVE TO EMPLOYEES, WITH A FOCUS ON THE EFFECTS OF MANDATORY PAID SICK LEAVE ON SMALL BUSINESSES AND LOW-INCOME EMPLOYEES.

MARCH 22, 2023 · SENATE LABOR AND TECHNOLOGY COMMITTEE · CHAIR SEN. SHARON MORIWAKI

POSITION: Support.

RATIONALE: The Democratic Party of Hawai'i Education Caucus **supports** SCR 155, which requests that the Department of Labor and Industrial Relations conduct a study on the implementation of a state program that requires employers to provide a minimum amount of paid sick leave and supplemental paid sick leave to employees, with a focus on the effects of mandatory paid sick leave on small businesses and low-income employees.

Approximately 180,000 workers lack access to sick leave in Hawai'i. That is unconscionable, especially following the COVID-19 pandemic. For the sake of the workers who drive our economy forward and to preserve public health, we can and we must do better.

According to the United States Bureau of Labor Statistics, paid sick leave was not available to 23 percent of private industry workers in March of 2021. Moreover, these benefits were available to only 12 percent of workers in the lowest 25th percentile wage category and available to only 37

percent of workers in the highest 25th percentile of income earners, which leaves a significant segment of the nation's workers without this essential health benefit.

In Hawai'i, an estimated 42 percent of private sector workers lack access to paid sick leave, according to Hawai'i Children's Action Network Speaks!, citing a 2015 analysis by the Institute for Women's Policy Research. Low-income workers are significantly less likely to have paid sick leave benefits than other members of the workforce. Only one in five low-income workers has access to paid sick leave, even though many of these employees work in the service sector and perform jobs that require them to engage with the public, such as food servers or sales representatives.

COVID-19 made it glaringly evident that paid sick leave is needed for workers and their families to be able to quarantine, recover, and care for others without having to choose between protecting their financial security or preserving their personal health and the well-being of the community. **We are still living through the effects of the pandemic.** Therefore, we must view paid sick leave is a critical public health tool in combatting the spread of COVID-19 and other diseases that endanger public health, both now and in the future.

To allow workers the time they need to recover when they become ill, we must establish a strong paid sick leave policy for our island home. Doing so is not just a matter of financial security, but an urgent step toward healing the cracks in our broken public health system.

Kris Coffield · Chairperson, DPH Education Caucus · (808) 679-7454 · kriscoffield@gmail.com



SCR 155, REQUESTING THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS TO CONDUCT A STUDY ON THE IMPLEMENTATION OF A STATE PROGRAM THAT REQUIRES EMPLOYERS TO PROVIDE A MINIMUM AMOUNT OF PAID SICK LEAVE AND SUPPLEMENTAL PAID SICK LEAVE TO EMPLOYEES, WITH A FOCUS ON THE EFFECTS OF MANDATORY PAID SICK LEAVE ON SMALL BUSINESSES AND LOW-INCOME EMPLOYEES.

MARCH 22, 2023 · SENATE LABOR AND TECHNOLOGY COMMITTEE · CHAIR SEN. SHARON MORIWAKI

POSITION: Support.

RATIONALE: Imua Alliance supports SCR 155, which requests that the Department of Labor and Industrial Relations conduct a study on the implementation of a state program that requires employers to provide a minimum amount of paid sick leave and supplemental paid sick leave to employees, with a focus on the effects of mandatory paid sick leave on small businesses and low-income employees.

Approximately 180,000 workers lack access to sick leave in Hawai'i. That is unconscionable, especially following the COVID-19 pandemic. For the sake of the workers who drive our economy forward and to preserve public health, we can and we must do better. We are one of Hawai'i's leading anti-trafficking victim service providers. Human trafficking is driven, in part, by systemic poverty. Enacting common-sense economic justice measures will provide the support for working families that is essential in disrupting our state's prolific slave trade.

According to the United States Bureau of Labor Statistics, paid sick leave was not available to 23 percent of private industry workers in March of 2021. Moreover, these benefits were available to only 12 percent of workers in the lowest 25th percentile wage category and available to only 37 percent of workers in the highest 25th percentile of income earners, which leaves a significant segment of the nation's workers without this essential health benefit.

In Hawai'i, an estimated 42 percent of private sector workers lack access to paid sick leave, according to Hawai'i Children's Action Network Speaks!, citing a 2015 analysis by the Institute for Women's Policy Research. Low-income workers are significantly less likely to have paid sick leave benefits than other members of the workforce. Only one in five low-income workers has access to paid sick leave, even though many of these employees work in the service sector and perform jobs that require them to engage with the public, such as food servers or sales representatives.

COVID-19 made it glaringly evident that paid sick leave is needed for workers and their families to be able to quarantine, recover, and care for others without having to choose between protecting their financial security or preserving their personal health and the well-being of the community. **We are still living through the effects of the pandemic.** Therefore, we must view paid sick leave is a critical public health tool in combatting the spread of COVID-19 and other diseases that endanger public health, both now and in the future.

To allow workers the time they need to recover when they become ill, we must establish a strong paid sick leave policy for our island home. Doing so is not just a matter of financial security, but an urgent step toward healing the cracks in our broken public health system.

Kris Coffield · Executive Director, Imua Alliance · (808) 679-7454 · kris@imuaalliance.org

TESTIMONY BEFORE THE SENATE COMMITTEE ON LABOR &
TECHNOLOGY

RE: - SCR 155 REQUESTING THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS TO CONDUCT A STUDY ON THE IMPLEMENTATION OF A STATE PROGRAM THAT REQUIRES EMPLOYERS TO PROVIDE A MINIMUM AMOUNT OF PAID SICK LEAVE AND SUPPLEMENTAL PAID SICK LEAVE TO EMPLOYEES, WITH A FOCUS ON THE EFFECTS OF MANDATORY PAID SICK LEAVE ON SMALL BUSINESSES AND LOW-INCOME EMPLOYEES.

WEDNESDAY, MARCH 22, 2023

JASON BRADSHAW, CHAIR
DEMOCRATIC PARTY OF HAWAII LABOR CAUCUS

Chair Moriwaki and Members of the Committee:

The Democratic Party of Hawaii Labor Caucus **supports SCR 155**, requesting the Department of Labor and Industrial Relations to conduct a study on the implementation of a state program that requires employers to provide a minimum amount of paid sick leave and supplemental paid sick leave to employees, with a focus on the effects of mandatory paid sick leave on small businesses and low-income employees.

As many know, over 180,000 private sector workers in the state of Hawaii do not have access to paid sick days and many of the 180,000 workers are employed in the service sector industry such as restaurants or retail and interact with the public on a frequent basis. **We believe all workers should have access to a few paid sick days a year.** This allows workers the ability to recover at home and help slow the spread of illnesses such as the flu or COVID without the worry of not being paid. Many workers in the service sector industry live paycheck-to-paycheck and struggle to make ends meet. A day without pay means a day without groceries or a day without food on the table. It means struggling to pay a credit card bill or rent for that month and no worker should have to worry about that.

A few paid sick days a year helps keep the public and co-workers safe and healthy and gives workers the financial security to stay at home and recover. Our recent COVID pandemic, which is still ongoing, is a reminder that we need to take illnesses seriously. Our elected officials, health agencies, and doctors strongly encouraged everyone to stay at home if they felt sick and even established mandatory quarantines if people felt ill. **The least we can do is ensure all workers have a few paid sick days so they can stay at home and keep everyone safe and healthy.**

Over sixty percent of households in the islands are severely cost-burdened, meaning that they pay more than thirty percent of their income on housing, a number that rises to over eighty percent for extremely low-income households. They cannot afford to take unpaid sick days.

The Democratic Party of Hawaii Labor Caucus strongly supports this resolution. Thank you for the opportunity to testify in support.



LATE

HIPHI Board

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State of Hawai'i, Deputy Public
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HIPHI Initiatives

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Tobacco-Free Hawai'i

Community Health
Worker Initiative

COVID-19 Response

Hawai'i Drug & Alcohol Free
Coalitions

Hawai'i Farm to School Hui

Hawai'i Oral Health Coalition

Hawai'i Public Health Training Hui

Healthy Eating + Active Living

Kūpuna Collective

Date: March 21, 2023

To: Senator Sharon Moriwaki, Chair
Senator Chris Lee, Vice Chair
Members of the Senate Committee on Labor and Technology

Re: SCR 155 – Requesting the Department of Labor & Industrial Relations to conduct a study on the implementation of a state program that requires employers to provide a minimum amount of paid sick leave and supplemental paid sick leave to employees, with a focus on the effects of mandatory paid sick leave on small businesses and low-income employees

Hrg: Wednesday, March 22, 2023, at 3:00 PM, Conf Rm 224

The Hawai'i Public Health Instituteⁱ (HIPHI) is in **support of SCR 155**, which will provide a minimum amount of paid sick days to employees to be used to care for themselves or a family member who is ill or needs medical care and supplemental paid sick leave to employees under certain public health emergency conditions.

All employees need to be able to take sick days.

Many of the lower income sector employees, such as restaurant and retail employees, who work paycheck-to-paycheck do not have paid time off to recover from an illness or take care of a family member who is suffering from an illness. These employees are part of the 180,000 private sector employees who suffer because they do not have the ability to accrue any sick days.

In particular, these employees were severely impacted during the COVID-19 pandemic. Unable to take paid leave, they had to make very difficult choices, let a sick child be alone or be able to feed them, go to work sick and expose others or be able to pay for housing and other necessities.

No one should be faced with decisions such as these because they are ill. Not only are these choices inhumane, and they also put public health at risk. As we know, limiting exposure is the only way not to spread highly contagious, communicable diseases. The best way to limit exposure is through quarantining and not going into public and paid sick leave can improve overall public health.

When we force people to choose between their health and feeding and housing themselves and their loved ones, we cut at the fabric that ensures stable and healthy communities. It is time to provide the bare necessity of ensuring all employees are able to accrue seven days of sick leave.

Hawai'i needs policies that protect the health and well-being of workers and the public, especially in the face of public health emergencies. Paid sick leave ensures that employees are able to take time off when they are unwell, improves public health, productivity, and employee morale, and benefits employers by reducing turnover and absenteeism. We appreciate that this committee is considering moving this critical public health measure forward.

Thank you for the opportunity to provide testimony in **SUPPORT** of **SCR 155**.

Mahalo,



Peggy Mierzwa
Director of Policy & Advocacy
Hawai'i Public Health Institute

ⁱ Hawai'i Public Health Institute is a hub for building healthy communities, providing issue-based advocacy, education, and technical assistance through partnerships with government, academia, foundations, business, and community-based organizations.



Randy Perreira, President

HAWAII STATE AFL-CIO
Hawaii's Labor Unions

LATE

888 Mililani Street Suite 501, Honolulu, Hawaii'i 96813

The Thirty-Second Legislature, State of Hawai'i
Hawai'i State Senate
Committee on Labor and Technology

Testimony by
Hawai'i State AFL-CIO
March 22, 2023

S.C.R. 155 – REQUESTING THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS TO CONDUCT A STUDY ON THE IMPLEMENTATION OF A STATE PROGRAM THAT REQUIRES EMPLOYERS TO PROVIDE A MINIMUM AMOUNT OF PAID SICK LEAVE AND SUPPLEMENTAL PAID SICK LEAVE TO EMPLOYEES, WITH A FOCUS ON THE EFFECTS OF MANDATORY PAID SICK LEAVE ON SMALL BUSINESSES AND LOW-INCOME EMPLOYEES.

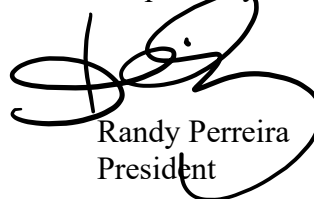
The Hawai'i State AFL-CIO is a state federation of 74 affiliate local unions and councils with over 68,000 members across both public and private sectors. We appreciate the opportunity to testify in **support** of S.C.R. 155.

Paid sick leave is an investment in employee retention, worker wellbeing, and safe workplaces. Merely having protected time off, but losing money when taking unpaid leave to care for oneself or a sick family member magnifies job, housing, food, and health insecurities.

Protected paid time off lends itself to increased quality of life and job satisfaction. In a community that values 'ohana, paid sick leave will help to keep workers out of hardship when they are called to care for themselves, their keiki, or kupuna.

We appreciate your consideration of our testimony in **support** of S.C.R. 155.

Respectfully,



Randy Perreira
President

RP/dd

IATSE LOCAL 665

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OF THE UNITED STATES, ITS TERRITORIES AND CANADA, AFL-CIO, CLC

LATE

Thirty-Second Legislature, State of Hawai'i
Senate Committee on Labor and Technology

Testimony by IATSE 665
March 22nd, 2023

SCR 155 - REQUESTING THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS TO CONDUCT A STUDY ON THE IMPLEMENTATION OF A STATE PROGRAM THAT REQUIRES EMPLOYERS TO PROVIDE A MINIMUM AMOUNT OF PAID SICK LEAVE AND SUPPLEMENTAL PAID SICK LEAVE TO EMPLOYEES, WITH A FOCUS ON THE EFFECTS OF MANDATORY PAID SICK LEAVE ON SMALL BUSINESSES AND LOW-INCOME EMPLOYEES.

Aloha Chair Moriwaki and Members of the Committee,

My name is Tuia'ana Scanlan, president of IATSE Local 665, the union representing technicians in the entertainment industry in Hawai'i. **Local 665 supports SCR 155**, requesting the Department of Labor and Industrial Relations to conduct a study on the implementation of a state program that requires employers to provide a minimum amount of paid sick leave and supplemental paid sick leave to employees, with a focus on the effects of mandatory paid sick leave on small businesses and low-income employees.

As many know, over 180,000 private sector workers in the state of Hawaii do not have access to paid sick days and many of the 180,000 workers are employed in the service sector industry such as restaurants or retail and interact with the public on a frequent basis. **We believe all workers should have access to a few paid sick days a year.** This allows workers the ability to recover at home and help slow the spread of illnesses such as the flu or COVID without the worry of not being paid.

Many workers in the service sector industry live paycheck-to-paycheck and struggle to make ends meet. A day without pay means a day without groceries or a day without food on the table. It means struggling to pay a credit card bill or rent for that month and no worker should have to worry about that. A few paid sick days a year helps keep the public and co-workers safe and healthy and gives workers the financial security to stay at home and recover. Our recent COVID pandemic, which is still ongoing, is a reminder that we need to take illnesses seriously. Our elected officials, health agencies, and doctors strongly encouraged everyone to stay at home if they felt sick and even established mandatory quarantines if people felt ill. The least we can do

is ensure all workers have a few paid sick days so they can stay at home and keep everyone safe and healthy.

Over sixty percent of households in the islands are severely cost-burdened, meaning that they pay more than thirty percent of their income on housing, a number that rises to over eighty percent for extremely low-income households. They cannot afford to take unpaid sick days.

IATSE 665 strongly supports this resolution. Thank you for the opportunity to testify in support.

In Solidarity,

A handwritten signature in black ink, appearing to read "Tuia'ana Scanlan". The signature is fluid and cursive, with the first name "Tuia" and last name "Scanlan" clearly distinguishable.

Tuia'ana Scanlan
President, IATSE 665
he/him/his



HAWAII WORKERS CENTER

Defending and Respecting the workers of
Hawai'i

LATE

(503) WORKERS 📞

(503) 967-5377 📞

hawaiiworkerscenter@gmail.com ✉️

hawaiiworkerscenter.org 🌐

March 21, 2023

Hawaii State Senate
Committee on Labor and Technology
Senator Sharon Y. Moriwaki, Chair
Senator Chris Lee, Vice Chair

Executive
Committee of the
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Leyton Torda

Robyn Conboy

Co-Executive
Directors

Tony Doroño

Sergio Alcubilla III,
Esq.

RE: Strong Support for SCR 155: REQUESTING THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS TO CONDUCT A STUDY ON THE IMPLEMENTATION OF A STATE PROGRAM THAT REQUIRES EMPLOYERS TO PROVIDE A MINIMUM AMOUNT OF PAID SICK LEAVE AND SUPPLEMENTAL PAID SICK LEAVE TO EMPLOYEES, WITH A FOCUS ON THE EFFECTS OF MANDATORY PAID SICK LEAVE ON SMALL BUSINESSES AND LOW-INCOME EMPLOYEES.

Dear Chair Sen. Moriwaki, Vice-Chair Sen. Lee, and Members of the Committee on Labor and Technology:

The Hawaii Workers Center envisions a Hawaii in which all workers are empowered to exercise their right to organize for their social, economic and political well-being. It is a resource of information, education, training and organizing for many of Hawaii's low-wage and immigrant workers.

The Hawaii Workers Center stands in strong support for SCR 155 in requesting the Department of Labor and Industrial Relations to conduct a study on the implementation of a state program to provide a minimum amount of paid sick leave.

Hawaii's rich history in the labor movement is to be studied and celebrated. Workers in the sugar cane and pineapple fields came together to demand better working conditions and to be treated with the dignity and respect we all deserve. Many of the descendants of these workers are now the pillars of our community. However, the struggles of our working class families and residents continue on in 2023. The need for all workers to have access to paid sick leave, paid family leave, and the full benefit of our state's minimum wage laws are just some of the issues that still need to be addressed. The work is not yet done.

SCR 155 is an important step in the right direction as there are nearly 180,000 workers in Hawaii that lack access to sick leave, most of whom work in the service industry and are low-wage workers. Only one in five low-income workers has access to paid sick leave. Paid sick leave will benefit both employees and employers and is a matter of public health and safety.

May SCR 155 be the starting point and opportunity for Hawaii to live up to its national reputation as a progressive state with a rich history in the moving the labor movement forward.

Sincerely,

Sergio J. Alcubilla
Executive Director

SCR-155

Submitted on: 3/18/2023 12:10:20 PM

Testimony for LBT on 3/22/2023 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Christy MacPherson	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Moriwaki, Vice Chair Lee and members of the Senate Committee on Labor and Technology,

I am in strong support of SCR155. Low-wage workers NEED paid sick leave for their physical and mental well-being. Study what they will, it is *long* overdue.

Mahalo for your consideration.

SCR-155

Submitted on: 3/18/2023 7:01:26 PM

Testimony for LBT on 3/22/2023 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mary K Ochs	Individual	Support	Written Testimony Only

Comments:

Aloha,

- About 180,000 workers in Hawai'i lack access to sick leave, most of whom work in the service industry.
- Low-income workers are significantly less likely to have paid sick leave than other members of the workforce. And, they often work with food and other high contact jobs such as care giving. Only one in five low-income workers has access to paid sick leave.
- If we have learned anything from the pandemic it is that paid sick leave is essential to preserving personal and public health, giving employees time to recover from illness and prevent the spread of viruses.

I urge you to support paid sick days for all of Hawai'i's workers.

Mahalo for your consideration!

Mary Ochs

Chair Sharon Moriwaki
Vice Chair Chris Lee

Senate Committee on Labor & Technology

Wednesday, March 22, 2023
3:00PM

**TESTIMONY IN SUPPORT OF SCR155 REQUESTING THE DEPARTMENT OF
LABOR AND INDUSTRIAL RELATIONS TO CONDUCT A STUDY ON THE
IMPLEMENTATION OF A STATE PROGRAM THAT REQUIRES EMPLOYERS
TO PROVIDE A MINIMUM AMOUNT OF PAID SICK LEAVE AND
SUPPLEMENTAL PAID SICK LEAVE TO EMPLOYEES, WITH A FOCUS ON THE
EFFECTS OF MANDATORY PAID SICK LEAVE ON SMALL BUSINESSES AND
LOW-INCOME EMPLOYEES**

Aloha Chair Moriwaki, Vice Chair Lee, Members of the Senate Committee on Labor & Technology,

My name is Jun Shin. I am a graduate of the University of Hawai‘i at Mānoa, a labor activist, and a member of the Hawai‘i State Youth Commission, testifying as an individual in **Support of SCR155**, Requesting the Department of Labor and Industrial Relations to Conduct a Study on the Implementation of a State Program That Requires Employers to Provide a Minimum Amount of Paid Sick Leave and Supplemental Paid Sick Leave to Employees, With a Focus on the Effects of Mandatory Paid Sick Leave on Small Businesses and Low-income Employees.

In Hawai‘i, over 180,000 private sector workers do not have access to paid sick days. Most are service workers, including restaurant and retail workers that often work paycheck-to-paycheck and struggle to make ends meet. Many, if not all, don't yet have the rights/protection of a labor union and a negotiated contract that comes with collective struggle. It is a twisted reality that a worker would lose much needed income and/or benefits for themselves and their families because they chose to take care of their health and wellbeing instead. Since a worker is forced to clock in to one or more jobs, it only makes it harder for that worker to recover (potentially even worsening their condition) and it puts their co-workers and the public at risk of also getting sick too.

Paid sick leave is essential to preserving personal and public health, giving employees time to recover from illness and prevent contagions from spreading to the community. This is a lesson we should have learned from the previous stages of the COVID pandemic. While it is disappointing that actual legislation has been stalled when so many working class families could use some serious relief, I appreciate that this concurrent resolution seeks to meaningfully include policy experts from the Hawai‘i Children’s Action Network, Unite Here Local 5, which organizes and represents unionized hospitality workers, and the Hawai‘i Workers Center, which works with low-wage, migrant and non-union workers and is currently working on ending the tip

penalty for restaurant and other tipped workers. Please **PASS Senate Concurrent Resolution 155** out of your committee.

Mahalo for the opportunity to testify,

Jun Shin,
State House District 23 | State Senate District 12
Cell: 808-255-6663
Email: junshinbusiness729@gmail.com

SCR-155

Submitted on: 3/21/2023 10:28:11 AM

Testimony for LBT on 3/22/2023 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Patricia Bilyk	Individual	Support	Written Testimony Only

Comments:

TO: Senator Moriwaki, Chair, Senator Lee, Vice Chair and Members of LBT Committee

FROM: Patricia Bilyk RN, MPH, MSN, Maternal Child Clinical Nurse Specialist

RE: SCR155 Study on Paid Family Leave SUPPORT

DATE: March 22, 2023 3pm

Good Afternoon Senators!

i stand in support of a Study by the Hawaii Department of Labor to identify the value and ways such a program could work in our State.

Other cities and States larger than the State of Hawaii have done this for their workers without horrible problems for the employer.

It is time for our State to create such a program to benefit the workers and the health of the entire State of Hawaii!

Thank you for the opportunity to share my opinion!