

STAND. COM. REP. NO. 2269

Honolulu, Hawaii

FEB 13 2024

RE: S.B. No. 2715
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sir:

Your Committee on Labor and Technology, to which was referred
S.B. No. 2715 entitled:

"A BILL FOR AN ACT RELATING TO UNFAIR LABOR PRACTICES,"

begs leave to report as follows:

The purpose and intent of this measure is to make it unlawful for an employer to discharge, discipline, or otherwise penalize or threaten any adverse employment action against an employee because the employee declines to attend or participate in an employer-sponsored meeting that communicates the opinion of the employer about political matters, or declines to receive or listen to a communication from the employer that communicates the opinion of the employer about political matters.

Your Committee received testimony in support of this measure from the Hawaii State AFL-CIO, ILWU Local 142, IATSE Local 665, and seventy-two individuals.

Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that there is currently little to no legal protection for employees against "captive audience meetings" or meetings where employee attendance is mandatory or de facto mandatory as they may face repercussion for refusing to attend. Your Committee further finds that participation meetings to spread



political views that have little to no relevance to the employee's work duties or the workplace should be voluntary and there should be no penalty imposed should an employee decide not to attend. This measure protects workers from being penalized for refusing to attend such meetings.

Your Committee has amended this measure by:

- (1) Clarifying that the protection provided applies to all employees, including those who are not covered in the definition of "employee" under section 377-1, Hawaii Revised Statutes; and
- (2) 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 and Technology that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2715, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2715, S.D. 1, and be referred to your Committees on Commerce and Consumer Protection and Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Labor and
Technology,


HENRY J.C. AQUINO, Chair



The Senate
 Thirty-Second Legislature
 State of Hawai'i

Record of Votes
Committee on Labor and Technology
LBT

Bill / Resolution No.:* SB 2715	Committee Referral: LBT, CPN/JDC	Date: 2/5/24
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The Committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312
 Pass, with amendments 2311
 Hold 2310
 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
AQUINO, Henry J.C. (C)	X			
MORIWAKI, Sharon Y. (VC)	X			
IHARA, Jr., Les				X
LEE, Chris	X			
FEVELLA, Kurt				X
TOTAL	3			2

Recommendation:
 Adopted
 Not Adopted

Chair's or Designee's Signature: _____

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***Only one measure per Record of Votes**