

ACT 195

S.B. NO. 834

A Bill for an Act Relating to Dislocated Workers.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. The Hawaii Revised Statutes is amended by adding a new chapter to be appropriately designated and to read as follows:

**“CHAPTER
DISLOCATED WORKERS**

§ -1 **Findings and purpose.** The legislature finds that there is a need for employment and training assistance for dislocated workers in Hawaii.

§ -2 **Definitions.** As used in this Act:

“Department” means the department of labor and industrial relations.

“Director” means the director of labor and industrial relations.

“Dislocated workers” means an individual who:

- (1) Has been terminated or laid-off or who has received a notice of termination or lay-off from employment, is eligible for or has exhausted entitlement to unemployment compensation, and is unlikely to return to the person’s previous industry or occupation;
- (2) Has been terminated or who has received a notice of termination of employment, as a result of any permanent closure of a business; or
- (3) Is a long-term unemployed and has limited opportunities for employment or reemployment in the same or a similar occupation in the area in which the individual resides, including any older individual who may have substantial barriers to employment by reason of age.

§ -3 **Employment opportunities.** The director shall identify job opportunities that exist within or outside the labor market area for which dislocated workers could be retrained and assisted in securing and whether assistance and training opportunities for such employment exist or could be provided within the labor market area.

§ -4 **Dislocated workers program.** The director shall establish a program to assist dislocated workers to obtain employment through assistance, training, and related employment services which may include but not be limited to:

- (1) Job search assistance;

- (2) Job development;
- (3) Training in job skills;
- (4) Supportive services including commuting assistance, day care for dependents, and financial, career, and personal counseling;
- (5) Pre-layoff assistance;
- (6) Relocation assistance;
- (7) Mediation services or other programs conducted in cooperation with employers or labor organizations to provide early intervention in the event of major business closures;
- (8) Added costs to employers; and
- (9) Stipends and allowances.

§ -5 **Relocation assistance.** The director may provide relocation assistance if:

- (1) The dislocated worker cannot obtain employment within commuting distance; and
- (2) The individual has secured suitable long duration employment or obtained a bona fide job offer in a relocation area within the State.

§ -6 **Training costs to employers.** Added costs to employers shall be restricted to increased costs incurred by employers when they assume the responsibility for assisting or training dislocated workers. Such costs may include those incurred for assistance and training supervision, for maintaining assistance or training records, for monitoring progress of training and implementing performance standards, for the additional costs of production time allocated for training on the job, and for similar functions essential to dislocated worker assistance and training.

§ -7 **Labor organization consultation.** Any activity under this chapter which provides service to a substantial number of members of a labor organization shall be conducted only after full consultation with the appropriate labor organization.

§ -8 **Coordination with federal programs.** The director shall develop plans for the implementation of this program which shall include appropriate provisions for the coordination of program activities with related state and federal programs and which shall document the requirements of section -3 and describe those activities to be carried out.”

SECTION 2. This Act shall take effect upon its approval.

(Approved June 6, 1983.)