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Hawai'i Oral Health Coalition

Hawai'i Public Health Training Hui

Healthy Eating + Active Living

Kūpuna Collective

Date: March 13, 2023

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

Re: Support SB 360 SD2 Relating to Family Leave

Hrg: Thursday March 16, 2023, at 9:30 AM

The Obesity Prevention Task Force, convened by the Hawai'i Public Health Instituteⁱ, **supports SB 360 SD2**. This bill would provide employees up to 16 weeks of paid family leave through the Department of Labor. It also removes the 100-employee threshold for employers to be subject to the family leave law.

It is time for Hawai'i to pass a strong family leave insurance program. Employees need paid time off of work to care for a newborn, newly adopted or foster child, ill family member, and other unexpected health emergencies. Paid family leave guarantees that employees can cover basic living costs while also providing care to family members when they need it most. Eleven states and Washington, DCⁱⁱ, have passed similar legislation providing partial wage replacement for family and medical leave purposes.

Paid time off for families to care for a newborn also helps to establish a foundation for breastfeeding. Infant feeding practices can significantly affect later growth and development and can protect against obesityⁱⁱⁱ. The American Academy of Pediatrics and the World Health Organization recommend exclusive breastfeeding for the first six months of life and continued breastfeeding with the addition of other foods until a child is at least twelve months of age^{iv}.

“A robust body of evidence suggests that breastfeeding has multiple health benefits for infants, and that paid family leave (and other forms of maternity leave) significantly increases the length of time that mothers breastfeed. In a review and analysis of studies of breastfeeding in developed countries, the U.S. Agency for Healthcare Research and Quality found that full-term infants fed formula are at substantially greater risk than breastfed infants for acute ear infection, eczema, gastrointestinal infection, hospitalization for lower respiratory tract diseases in the first

year of life, asthma, childhood obesity, Type 2 diabetes, leukemia, and sudden infant death syndrome (SIDS).^v”

Thank you for the opportunity to provide testimony in support of SB360 SD2.

Mahalo,



Peggy Mierzwa
Policy & Advocacy Director
Hawaii Public Health Institute

ⁱ Created by the legislature in 2012, the Obesity Prevention Task Force is comprised of over 60 statewide organizations, and works to make recommendations to reshape Hawai'i's school, work, community, and health care environments, making healthier lifestyles obtainable for all Hawai'i residents. The Hawai'i Public Health Institute (HIPHI) convenes the Task Force and supports and promotes policy efforts to create a healthy Hawai'i.

ⁱⁱ <https://www.americanprogress.org/article/the-state-of-paid-family-and-medical-leave-in-the-u-s-in-2023/#:~:text=Eleven%20states%20have%20passed%20paid,24%20along%20with%20Washington%2C%20D.C.>

ⁱⁱⁱ S. Arenz et al., Breast-feeding and childhood obesity - a systematic review, 28(10) International Journal of Obesity and Related Metabolic Disorders 1247-56 (2004).

^{iv} American Academy of Pediatrics, AAP Reaffirms Breastfeeding Guidelines, <https://www.aap.org/en-us/about-the-aap/aap-press-room/pages/AAP-Reaffirms-Breastfeeding-Guidelines.aspx> (last updated February 27, 2012).

^v http://www.nccp.org/publications/pdf/text_1059.pdf

SB-360-SD-2

Submitted on: 3/13/2023 8:32:31 PM

Testimony for LGO on 3/16/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
John Bickel	Individual	Support	Written Testimony Only

Comments:

I teach Advanced Placement Comparative Government. We are the only first world democracy without a family leave program. It seems that this is should be a basic right. Yet if you don't buy that argument, a fiscal conservative should note it saves money in the long term as it improves lives for decades after the infant years. Beyond small children, this program would also help kupuna. Again it could save money if the alternative is a Medicaid sponored nursing home. Don't do another study. It is long past due to create a program. Future generations will benefit.

Chair Scot Matayoshi
Vice Chair Andrew Garrett

House Committee on Labor & Government Operations

Thursday, March 16, 2023
9:30 AM

**TESTIMONY OFFERING COMMENTS ON SB360 SD2 RELATING TO FAMILY
LEAVE**

Aloha Chair Matayoshi, Vice Chair Garrett, Members of the House Committee on Labor & Government Operations,

My name is Jun Shin. I am a recent graduate of the University of Hawai‘i at Mānoa, a soon to be worker, and a member of the Hawai‘i State Youth Commission, testifying as an individual offering **STRONG RESERVATIONS** on **SB360 SD2**, Relating to Family Leave.

I have strong reservations about this measure as it is currently amended. No more studies on family leave. The majority of Hawai‘i's workers cannot afford to take unpaid leave to care for a new child or another family member. Hawai‘i law only provides a four-week extension of unpaid leave to employees of large employers with more than 100 employees. 4 weeks is definitely not enough, and this current law leaves out many, many workers who will at some point need to take care of a family member. All workers deserve access to family leave, which is essential in allowing parents to care for newborn keiki and other family members who are seriously ill.

It's also the case that Hawai‘i has one of the fastest growing populations over the age of 65 in the nation. From 2020 to 2030, the percentage of people aged 65 and over is expected to increase to 22.5% of the state's population. Making sure our kūpuna have the best quality of life in their retirement years after working hard their whole lives is the least that the state can do. Nearly one-third of workers who do not have access to family leave will need time off to care for an ill spouse or elderly parent. It's very, very clear at this point that workers and their families need adequate family leave in all stages of their lives!

We have hundreds and hundreds of pages of economic analysis, Hawai‘i-based eligibility modeling and cost breakdowns, a feasibility study, opinion polling and focus groups, and options for compliance and enforcement of a paid family leave program for the legislature to look at. Adding a “procedural manual” when we have all this information is incredibly unnecessary. Also with all due respect to the staff at the Department of Labor & Industrial Relations, the current measure places the creation of the manual entirely with the department, leaving out experts,

advocates, and affected families in the process. However at the end of the day, **please revert Senate Bill 360 SD2 back to its original version**. People need help now.

Mahalo for the opportunity to testify,

Jun Shin,

State House District 23 | State Senate District 12

Cell: 808-255-6663

Email: junshinbusiness729@gmail.com

SB-360-SD-2

Submitted on: 3/13/2023 10:05:09 PM

Testimony for LGO on 3/16/2023 9:30:00 AM

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

Comments:

I have strong reservations about SB 360 SD2. In the past six years, two analyses of establishing a paid family leave program in Hawai'i have been conducted and presented to the Hawai'i State Legislature. These reports include an economic analysis, Hawai'i-based eligibility modeling and cost breakdowns, a feasibility study, opinion polling and focus groups, options for compliance, and enforcement protocols. A "procedural manual" is unnecessary. Moreover, the current draft of this bill places the creation of the manual entirely within the auspices of DLIR, leaving family leave experts and advocates on the sidelines.

Working families need relief now. Please revert this bill back to its original version. The United States is the only developed country that lacks a comprehensive paid family leave program. Thirteen states and the District of Columbia have passed paid family leave laws and the states with paid family leave have seen significant public health, social, and economic benefits. Paid family leave is good for business, too, as employees become more productive and loyal when they have access to it.

It is time for Hawai'i to join the other states that have initiated paid family leave programs and enact this important policy to uplift the well-being of working families and their keiki.

SB-360-SD-2

Submitted on: 3/13/2023 10:14:57 PM

Testimony for LGO on 3/16/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Mike Golojuch, Sr.	Individual	Comments	Written Testimony Only

Comments:

I support the intent of SB360. However, the original bill language will better carry out the intent of this bill.

Mike Golojuch, Sr.

SB-360-SD-2

Submitted on: 3/13/2023 10:19:11 PM

Testimony for LGO on 3/16/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Bettina Mok	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Matayoshi, Vice Chair Garrett, and Committee Members,

I support efforts to pass a family leave policy and ask that you please revert this bill to its original version.

I'm a Makiki resident, but just over 10 years ago, when I lived in California, I advised a young female coworker to apply for the family leave benefit there. She was a hard worker, but was struggling after hearing the news that the man who was going to be the father of her as yet unborn child would not be present or financially supportive of her during pregnancy or after giving birth. Recognizing that her son would grow up without a father, and that she would shoulder the burden and financial responsibility of raising a child on her own, she was so grateful to have some time to readjust her life to be able to successfully single parent.

She applied for, and received the family leave benefit in that state, which allowed her to take time off, relocate to another city where she moved in with her parents so that her son could have the love and guidance of grandparents and a male figure in his life. She also used that time to take birthing and parenting classes, adopt a healthy lifestyle, connect with a group of other single moms, and pursue certification in accounting so that she could have a higher paying job when she was ready to return to work.

Her baby was born without stress, and she felt prepared to manage parenting, given her new environment. After critical bonding months with the baby, she was able to return to work in a higher paying position, while her parents or daycare provider helped take care of her son during the day. Her son is now 11 years old, well adjusted, actively involved in science and sports activities, with a loving family. I'm proud to be his godmother.

Passage of the original bill could make a world of difference for thousands of parents and other caregivers in Hawai'i.

Mahalo,

Bettina Mok

SB-360-SD-2

Submitted on: 3/13/2023 10:20:45 PM

Testimony for LGO on 3/16/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Julie Reyes Oda	Individual	Support	Written Testimony Only

Comments:

Supports.

SB-360-SD-2

Submitted on: 3/14/2023 1:50:14 AM

Testimony for LGO on 3/16/2023 9:30:00 AM

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

Comments:

Aloha Chair Matayoshi, Vice Chair Garrett and members of the Senate Committee on Labor and Government Operations,

I am in strong support of SB360 SD2 **with an amendment to restore this bill to its original version**. We have had enough studies- and kicking the can down the road. We need Paid Family Leave so that employees can take care of themselves and their family members during times of crisis or illness without having the extra burden of losing income and not being able to pay for critical things like rent, electricity, or transportation.

Mahalo for your consideration.

SB-360-SD-2

Submitted on: 3/14/2023 7:03:49 AM

Testimony for LGO on 3/16/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Marilyn Mick	Individual	Support	Written Testimony Only

Comments:

Aloha,

Working families need relief now. Please revert this bill back to its original version. The United States is the only developed country that lacks a comprehensive paid family leave program. Thirteen states and the District of Columbia have passed paid family leave laws and the states with paid family leave have seen significant public health, social, and economic benefits. Paid family leave is good for business, too, as employees become more productive and loyal when they have access to it.

It is time for Hawai‘i to join the other states that have initiated paid family leave programs and enact this important policy to uplift the well-being of working families and their keiki.

Mahalo, Marilyn Mick, Honolulu

SB-360-SD-2

Submitted on: 3/14/2023 7:12:01 AM

Testimony for LGO on 3/16/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Greg Crawford	Individual	Comments	Written Testimony Only

Comments:

I have strong reservations about SB 360, SD2. In the past six years, two analyses of establishing a paid family leave program in Hawai'i have been conducted and presented to the Hawai'i State Legislature. These reports include an economic analysis, Hawai'i-based eligibility modeling and cost breakdowns, a feasibility study, opinion polling and focus groups, options for compliance, and enforcement protocols. A "procedural manual" is unnecessary. Moreover, the current draft of this bill places the creation of the manual entirely within the auspices of DLIR, leaving family leave experts and advocates on the sidelines.

Working families need relief now. Please revert this bill back to its original version. The United States is the only developed country that lacks a comprehensive paid family leave program. Thirteen states and the District of Columbia have passed paid family leave laws and the states with paid family leave have seen significant public health, social, and economic benefits. Paid family leave is good for business, too, as employees become more productive and loyal when they have access to it.

It is time for Hawai'i to join the other states that have initiated paid family leave programs and enact this important policy to uplift the well-being of working families and their keiki.

SB-360-SD-2

Submitted on: 3/14/2023 7:25:49 AM

Testimony for LGO on 3/16/2023 9:30:00 AM

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

Comments:

Hello,

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

I have strong reservations about SB 360, SD2. In the past six years, two analyses of establishing a paid family leave program in Hawai'i have been conducted and presented to the Hawai'i State Legislature. These reports include an economic analysis, Hawai'i-based eligibility modeling and cost breakdowns, a feasibility study, opinion polling and focus groups, options for compliance, and enforcement protocols. A "procedural manual" is unnecessary. Moreover, the current draft of this bill places the creation of the manual entirely within the auspices of DLIR, leaving family leave experts and advocates on the sidelines.

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It is time for Hawai'i to join the other states that have initiated paid family leave programs and enact this important policy to uplift the well-being of working families and their keiki.

me ke aloha 'āina,

Nanea Lo, Mō'ili'ili

SB-360-SD-2

Submitted on: 3/14/2023 8:34:28 AM

Testimony for LGO on 3/16/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Rev. Samuel L Domingo	Individual	Comments	Written Testimony Only

Comments:

Please return the bill to its original form. Multiple studies have been done over the years and the way forward now is to create a program that will be supportive of workers easing their challenges when addressing the various needs of family members. other states have been successful in implementing family leave, so there are templates to follow.

SB-360-SD-2

Submitted on: 3/14/2023 9:32:47 AM

Testimony for LGO on 3/16/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
ANDREW ISODA	Individual	Comments	Written Testimony Only

Comments:

I have strong reservations about SB 360, SD2. In the past six years, two analyses of establishing a paid family leave program in Hawai'i have been conducted and presented to the Hawai'i State Legislature. These reports include an economic analysis, Hawai'i-based eligibility modeling and cost breakdowns, a feasibility study, opinion polling and focus groups, options for compliance, and enforcement protocols. A "procedural manual" is unnecessary. Moreover, the current draft of this bill places the creation of the manual entirely within the auspices of DLIR, leaving family leave experts and advocates on the sidelines.

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It is time for Hawai'i to join the other states that have initiated paid family leave programs and enact this important policy to uplift the well-being of working families and their keiki.

SB-360-SD-2

Submitted on: 3/14/2023 9:12:56 AM

Testimony for LGO on 3/16/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Michael Golojuch Jr	Stonewall Caucus of the Democratic Party of Hawaii	Comments	Remotely Via Zoom

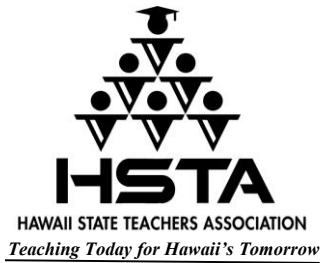
Comments:

Aloha Representatives,

The Stonewall Caucus of the Democratic Party of Hawai‘i; Hawai‘i’s oldest and largest policy and political LGBTQIA+ focused organization respectfully offers comments on SB360, SD1, relating to family leave, and asks that you please revert it back to its original version.

Mahalo nui loa,

Michael Golojuch, Jr.
Chair and SCC Representative
Stonewall Caucus for the DPH



1200 Ala Kapuna Street ♦ Honolulu, Hawaii 96819
Tel: (808) 833-2711 ♦ Fax: (808) 839-7106 ♦ Web: www.hsta.org

Osa Tui, Jr.
President
Logan Okita
Vice President
Lisa Morrison
Secretary-Treasurer
Ann Mahi
Executive Director

TESTIMONY BEFORE THE HOUSE COMMITTEE ON LABOR &
GOVERNMENT OPERATIONS

RE: SB 360, SD2 - RELATING TO FAMILY LEAVE

THURSDAY, MARCH 16, 2023

OSA TUI, JR., PRESIDENT
HAWAII STATE TEACHERS ASSOCIATION

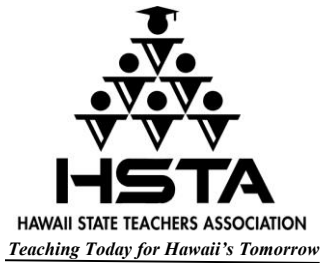
Chair Matayoshi and Members of the Committee:

The Hawaii State Teachers Association **respectfully offers comments on SB360, SD2, relating to family leave, and asks that you please revert it back to its original version.**

In just the past 6 years, two analyses of the potential establishment of a paid family leave program in Hawai'i have been conducted and presented to the legislature. The 371 pages of these two reports include an economic analysis, Hawai'i-based eligibility modeling and cost breakdowns, a feasibility study, opinion polling and focus groups, and options for compliance and enforcement of a paid family leave program. Even changing this to creating a procedural manual will not do what we need this bill to do. We need Paid Family Leave for all workers in our state.

There is nothing else that needs studying on this issue, and until a bill is signed into law for Paid Family Leave, a procedural manual cannot be completed until the terms of Paid Family Leave are outlined in the law. The procedural manual would come after a Paid Family Law is passed. Working families need relief now. Not sometime down the road. **Please revert this bill back to its original version. The United States is the only developed country without national paid family leave. Thirteen states and the District of Columbia have passed paid family leave laws, and the states with paid family leave have seen significant health, social and economic benefits. Paid family leave is good for business—employees become more productive and loyal when they have it. We have many models to follow, the studies have been completed, and we have a clear path now to pass this law.**

Rather than convene yet another study of this proven strategy, or establish



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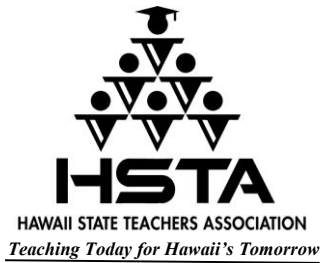
Osa Tui, Jr.
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Executive Director

a procedural manual prior to pass a law that would outline the parameters of Paid Family Leave, Hawai'i should join the other states that have paid family leave programs and move to establish this important policy here.

This bill is good for businesses and good for everyone in Hawai'i. Family leave insurance increases worker retention and loyalty. **Workers who have access to family leave benefits are more likely to return to work after their leave is over. In a 10-year study of the California family leave insurance program, businesses reported that family leave had either a positive or a neutral effect on their business.** Small businesses were less likely than large businesses to report any negative effects. Providing paid time off for family caregiving strongly promotes gender equity. Women are often disproportionately impacted by the lack of paid leave, as they are the primary caregivers of infants, children, and aging parents. The lack of paid family leave exacerbates the gender wage gap for women and adversely impacts the economic stability of both male and female caregivers.

This bill is also great for workers. The majority of our workforce in Hawai'i cannot afford to take unpaid leave to care for a new child or assist a family member with a serious health condition. Hawai'i law only provides a four-week extension of unpaid leave to employees of large employers with more than one hundred employees. All workers deserve access to family leave, which is essential in allowing parents to care for newborn keiki and family members who are seriously ill. Hawai'i has one of the fastest growing populations over the age of 65 in the nation. From 2020 to 2030, the percentage of people aged 65 and over is expected to increase to 22.5 percent of the state's population. Nearly one-third of workers who do not have access to family leave will need time off to care for an ill spouse or elderly parent.

Teachers are fortunate to be covered by a collective bargaining agreement that provides paid sick leave. Over 40 percent of our workforce in Hawai'i; however, are not afforded the same benefit. Only 17 percent of workers in the U.S. have access to paid family leave through their employers. Women, as primary caregivers of infants, children, and elderly parents, are disproportionately affected by the absence of paid family and medical leave. According to AARP Hawaii, there are approximately 157,000 unpaid family caregivers in the State. Hawai'i has one of the fastest growing populations over the age of sixty-five in the nation; from 2020 to 2030 the percentage of people age sixty-five and over is expected to go from 19.1 per cent of the State's population to 22.5 per cent. Nearly a third of those who need but do not have access to family leave will need the time off to care for an ill spouse or elderly parent. Even though our teachers have paid sick leave, they must use this leave, if they have



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accumulated enough, for maternity leave. Many new teachers do not have enough sick leave accumulated, and thus, must choose between unpaid leave, or even leaving the profession, which many do. It is unfortunate. We need to retain our teachers and all our workers in Hawai'i.

What's more, the COVID-19 pandemic became a public health emergency that infected thousands of people, overburdened hospital capacities, medical supply shortages, and claimed the lives of numerous Hawai'i residents. Enacting a comprehensive family leave program would allow employees whose family members are impacted by serious health conditions to provide adequate care for their loved ones.

As a result, workers are often required to choose between providing for their families by working while sick or enduring a loss of income to recuperate. Families also must decide whether or not to send sick children to school or stay home and lose a day of pay. For low-income families, this financial bind can mean the difference between providing food or going hungry. When children are forced to attend class while ill, moreover, contagions may spread to other students, and not much learning occurs for the ill child who needs to recover from an illness.

Finally, a public insurance model that includes all eligible workers in the state is affordable. The Institute for Women's Policy Research, which houses some of the nation's top experts on family leave, **conducted an actuarial analysis using a simulation model to study the use and cost of family leave insurance for our state, which found that the annual cost to cover sixteen weeks of leave for a worker making \$48,000 would be roughly \$58—a little over one dollar per week to pay for invaluable financial security. That is a small price to pay for the financial security guaranteed by 16 weeks of paid family leave.**

To provide 16 weeks of paid family leave for all eligible workers in the state, would cost workers less than \$58 a year, the Hawaii State Teachers Association asks you to **please revert this bill back to its original version.**

TESTIMONY BEFORE THE HOUSE COMMITTEE ON LABOR &
GOVERNMENT OPERATIONS

RE: SB 360 SD2 - RELATING TO FAMILY LEAVE

THURSDAY, MARCH 16, 2023

JASON BRADSHAW, CHAIR
DEMOCRATIC PARTY OF HAWAII LABOR CAUCUS

Chair Matayoshi and Members of the Committee:

The Democratic Party of Hawaii Labor Caucus **respectfully offers comments on SB360, SD2, relating to family leave, and asks that you please revert it back to its original version.**

In just the past 6 years, two analyses of the potential establishment of a paid family leave program in Hawai'i have been conducted and presented to the legislature. The 371 pages of these two reports include an economic analysis, Hawai'i-based eligibility modeling and cost breakdowns, a feasibility study, opinion polling and focus groups, and options for compliance and enforcement of a paid family leave program. Even changing this to creating a procedural manual will not do what we need this bill to do. We need Paid Family Leave for all workers in our state.

There is nothing else that needs studying on this issue, and until a bill is signed into law for Paid Family Leave, a procedural manual cannot be completed until the terms of Paid Family Leave are outlined in the law. The procedural manual would come after a Paid Family Law is passed. Working families need relief now. Not sometime down the road. Now. **Please revert this bill back to its original version. The United States is the only developed country without national paid family leave. Thirteen states and the District of Columbia have passed paid family leave laws, and the states with paid family leave have seen significant health, social and economic benefits. Paid family leave is good for business—employees become more productive and loyal when they have it.**

Rather than convene yet another study of this proven strategy, or create a procedural manual for Paid Family Leave that still needs to pass the legislature, Hawai'i should join the other states that have paid family leave programs and move to establish this important policy here.

This program would help Hawaii's businesses. Family leave insurance increases worker retention and loyalty. Workers who have access to family leave benefits are more likely to return to work after their leave is over. In a 10-year study of the California family leave insurance program, businesses reported that family leave had either a positive or a neutral effect on their business. Small businesses were less likely than large businesses to report

any negative effects. Providing paid time off for family caregiving strongly promotes gender equity. Women are often disproportionately impacted by the lack of paid leave, as they are the primary caregivers of infants, children, and aging parents. The lack of paid family leave exacerbates the gender wage gap for women and adversely impacts the economic stability of both male and female caregivers.

Studies have been conducted and top experts in the area of family leave have studied the usage, cost, and feasibility of implementing a family leave insurance program for the islands. **These studies collectively found that family leave insurance is a necessary and cost-effective way for workers to take adequate time off of work to care for their families without facing financial ruin or jeopardizing their careers.** We need a program that is affordable and designed to be revenue-neutral. **The Institute for Women's Policy Research, which houses some of the nation's top experts on family leave, conducted an actuarial analysis using a simulation model to study the use and cost of family leave insurance for our state, which found that the annual cost to cover sixteen weeks of leave for a worker making \$48,000 would be roughly \$58—a little over one dollar per week to pay for invaluable financial security. That is a small price to pay for the financial security guaranteed by 16 weeks of paid family leave.**

In 2018, only 17 percent of workers in the United States had access to paid family leave through their employers. Women, who are often primary caregivers of infants, children, and elderly parents, are disproportionately affected by the absence of paid family leave. No one should have to sacrifice their financial well-being to care for their keiki or kupuna.

The majority of our workforce in Hawai'i cannot afford to take unpaid leave to care for a new child or assist a family member with a serious health condition. Hawai'i law only provides a four-week extension of unpaid leave to employees of large employers with more than one hundred employees. All workers deserve access to family leave, which is essential in allowing parents to care for newborn keiki and family members who are seriously ill.

Hawai'i has one of the fastest growing populations over the age of 65 in the nation. From 2020 to 2030, the percentage of people aged 65 and over is expected to increase to 22.5 percent of the state's population. Nearly one-third of workers who do not have access to family leave will need time off to care for an ill spouse or elderly parent.

Hawai'i must offer a smart, affordable solution that enables workers to take a small number of weeks out of the workforce and not have to choose between caring for their families or saving their jobs. **Please revert this bill back to its original version.**

SB-360-SD-2

Submitted on: 3/14/2023 9:53:30 AM

Testimony for LGO on 3/16/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
John Witeck	Individual	Comments	Written Testimony Only

Comments:

Please revert the language of SB360 to its original form rather than the language in S.D.2---since the last thing that is needed is another study. Two prior studies have been done. Now is the time for action. Please pass this important and urgent legislation which would provide paid family leave for Hawaii's working families and bring Hawaii up to par with 13 other states and the District of Columbia, and with almost all industrialized nations. It's a poor reflection on Hawaii that we still have not legislated this benefit for our workers and families. We used to pioneer progressive legislation like prepaid health insurance--but now we tend to lag behind. I hope our legislators act positively to pass this vital legislation.

Mahalo, John Witeck



Chamber of Commerce HAWAII

The Voice of Business

**Testimony to the House Committee on Labor & Government Operations
Thursday, March 16, 2023, at 9:30 A.M.
Conference Room 309 & Videoconference**

RE: SB 360 SD2 Relating to Family Leave

Aloha Chair Matayoshi, Vice Chair Takuya Garrett, and Members of the Committees:

The Chamber of Commerce Hawaii ("The Chamber") **offers comments on SB 360 SD2**, which requires the Department of Labor and Industrial Relations, in consultation with the Insurance Commissioner, to develop a procedural manual to implement a family leave insurance program that pays family leave insurance benefits. Appropriates funds.

We appreciate and understand the intent of this bill to complete a study on how to implement a family leave program.

We do, request that the Chamber of Commerce Hawaii be included in the study committee so that we can offer our expertise and the "voice" of small businesses in studying this policy.

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.

Thank you for the opportunity to testify.

March 14, 2023

Rep. Scot Z. Matayoshi, Chair
Rep. Andrew Takuya Garrett, Vice Chair
Committee on Labor & Government Relations
Thursday, March 16 2023
9:30 am
Via Videoconference



RE: **SB360 SD2** Relating to Family Leave Insurance (**Support Original Version**)

Dear Chair Matayoshi, Vice Chair Garrett & Members of the Committee,

Chamber of Sustainable Commerce offers testimony in support of the original version of SB360, which requires the department of labor and industrial relations to establish and administer a family leave insurance program, provides family leave insurance benefits and extends the period of family leave to 16 weeks for businesses that employ one or more employees who meet the hourly qualifications, eliminates the previous threshold of 100 employees for employers to be subject to the family leave law and appropriates funds.

As small business owners who believe we can strengthen our economy without hurting workers, consumers, or the environment, we urge this committee to amend SB360 SD2 to its original form because this issue has already been studied twice before and its time to implement a data-responsive solution similar to the state's unemployment insurance program.

Coming out of the Covid pandemic, our economy's resiliency validated the importance of having financial safety-nets for working families. It's important to compare and contrast how this state intervenes (or doesn't intervene) when an individual family's crisis may lead to homelessness and when the larger community faces homelessness because of lava flow or global pandemic. The original SB360 would provide a needed safety net to all working families, regardless if that family is suffering alone or with the entire state.

The Chamber of Sustainable Commerce submits A Better Balance's 2022 (updated) white paper titled "*The Business Case for Paid Family and Medical Leave:*" <https://www.abetterbalance.org/resources/the-business-case-for-paid-family-and-medical-leave/>

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Legislative
Council**

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Na Mea Hawaii
Honolulu

Russel Rudderman
Island Naturals
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The Business Case for Paid Family and Medical Leave

Comprehensive paid family and medical leave presents a game-changing opportunity to support businesses and families. Paid family and medical leave will provide businesses with an unprecedented opportunity to recruit and retain valuable employees and increase productivity without creating significant administrative burdens.

State paid family and medical leave programs have proven to be successful for workers, businesses, and families.

- Eleven states (Rhode Island, California, New Jersey, New York, Washington State, Massachusetts, Connecticut, Oregon, Colorado, Maryland, and Delaware) and Washington, D.C. have enacted paid family and medical leave laws,¹ which provide (or will provide) benefits to workers when they are unable to work due to a serious off-the-job illness or injury, to bond with a new child (including children newly placed for foster care or adoption) or to care for a family member with a serious health condition.
 - Eight states also provide (or will provide) paid family leave benefits to workers dealing with certain needs in connection with a family member's military deployment.
 - Four states also provide (or will provide) benefits known as "safe time," which covers certain needs arising from domestic or sexual violence.
- The state paid family and medical leave programs offer proven examples from which to build a national, paid family and medical leave program that is equitable and sustainable. They also prove that these policies can work for businesses as well as workers.
 - In a study of California businesses, the vast majority reported that the state's paid family leave program had a positive or neutral effect on their business; a vast majority also reported that the program resulted in no cost increases, with some even indicating that the program resulted in cost savings for their business by reducing benefit costs. Moreover, most businesses were able to adjust to the program easily; nearly two-thirds of businesses reported that temporarily reassigning work to other employees was their primary method for addressing the temporary absence of employees on paid family leave.²
 - In New Jersey, businesses of all sizes have easily adjusted to the state law. Most businesses reported no negative effects on business profitability and most reported that complying with the law is not difficult.³
 - In a survey of Rhode Island employers conducted a year after the state's paid family leave law went into effect, a majority of employers were strongly or somewhat in favor of the law. This was true among both large and small employers surveyed.⁴

- In the first year after New York's paid family leave program went into effect, employers experienced a significantly easier time coordinating employee absences, especially longer absences. Additionally, after the program went into effect, the vast majority of employers were supportive of the program.⁵

Paid family and medical leave programs can help small businesses thrive.

- Providing paid leave through a government program levels the playing field for small businesses. Small businesses that cannot afford to offer the same generous leave benefits as larger companies are at a competitive disadvantage in hiring.⁶
 - The vast majority of small business owners that want paid leave want a solution involving the federal government.⁷
- Small businesses have adapted well to state paid family and medical leave programs and report positive experiences with such laws.
 - A study of California businesses found that *any* negative effects from the state's paid family leave program were exceedingly rare, but among those few employers who did report negative effects, small businesses were *less* likely than large businesses to report any negative effects resulting from the program. Additionally, nearly all of the businesses surveyed, including very small businesses, were able to craft solutions for addressing employee absences with little difficulty—often by relying on protocols already in place for other types of absences that routinely occurred prior to the implementation of the state's paid family leave program.⁸
 - Another study of California's program found that small businesses saw a 14% *decrease* in their per worker labor costs when workers take paid family leave. The smallest businesses had the greatest percentage-based savings.⁹
 - In New Jersey, approximately two-thirds of small businesses reported no increase in overtime pay costs due to the state paid family leave law,¹⁰ and researchers have found that other employees do not resent absent co-workers.¹¹ This suggests that businesses were able to manage the temporary reallocation of absent employees' workload without significant increased costs.

Paid family and medical leave programs can help businesses recruit and retain talented workers.

- Paid family and medical leave can help employers recruit talented employees and also helps employers retain employees. Human resources professionals consider family-friendly policies to be the most important factor in recruiting and retaining employees.¹² Similarly, small businesses that offer paid leave see it as necessary to recruit and retain talented employees—and those that don't offer it report that it makes it challenging to hire.¹³

- Moreover, paid family and medical leave increases employee morale and employee loyalty. New Jersey employers have reported increased employee morale as a result of New Jersey's paid family leave program, with one employer calling the effect "tremendous."¹⁴
- By helping businesses retain valuable employees, paid family and medical leave can significantly cut down on turnover costs. Businesses spend, on average, around 21% of an employee's salary to replace that employee if the employee quits.¹⁵
 - Paid family and medical leave can save employers money by enabling valuable employees to stay in their jobs instead of quitting when they have a child or a medical emergency. One study found that businesses in states with paid family leave laws were significantly less likely to experience high employee turnover compared to similar businesses without paid family leave benefits.¹⁶
 - For example, in California, 92.8% of employers reported that paid family leave had a positive or neutral effect on employee turnover,¹⁷ saving employers the costly step of replacing an existing employee.¹⁸
- This is especially crucial at a time when many businesses are desperately seeking qualified employees.
 - More than one third of unemployed adults would be more willing to return to work sooner if their employer offered paid family leave, including nearly half of unemployed caregivers.¹⁹ This suggests that continuing recruiting challenges are driven, in part, by workers' ongoing caregiving responsibilities and their concerns that those responsibilities may be incompatible with employment in the absence paid leave. Ensuring that workers can care for themselves and their families while working is key to robust economic recovery.
 - A recent study found that workers with access to paid family and medical leave are 22% more likely than workers without such access to recommend their job to a friend.²⁰

Paid family and medical leave can increase profitability and employee productivity.

- Businesses that provide paid family leave benefits have seen marked improvements in employee productivity.
 - One study found that businesses in states with paid family leave laws significantly increased firm-wide productivity as compared to similar businesses without paid family leave benefits.²¹ And a cross-industry analysis of 41 companies found increases of more than 50% on productivity measures after the adoption of a paid leave program.²²
 - An overwhelming majority of California employers also reported positive or neutral effects on productivity (88.5%) and employee morale (98.6%).²³

- Evidence suggests that increased productivity resulting from paid family and medical leave can increase employer profitability.
 - One study found an average of 63% improvement in revenue and 54% improvement in profit after companies adopted paid leave policies.²⁴
 - An overwhelming majority (91.0%) of California employers reported that paid family leave had a positive or neutral effect on profitability/performance.²⁵
 - A recent study of California’s paid leave program found that businesses with employees who used paid family leave had *higher* per worker earnings across all workers (not just the workers who took paid family leave) than did businesses where no workers took paid family leave.²⁶
- Paid leave also helps keep workers safe and healthy on the job, which increases productivity and decreases employer costs. Workers with paid leave are significantly less likely to suffer dangerous injuries on the job²⁷ or deaths on the job.²⁸
 - Paid leave allows workers to recover and return to full productivity more quickly than they would by continuing to work. When workers must return to work before a chronic condition is stabilized or before they have healed from an injury, they are more likely to relapse or re-injure themselves while working.²⁹ Fewer workplace injuries can mean healthier, happier workers and lower workers’ compensation costs.
- Paid family and medical leave also can also increase a firm’s value. Researchers have found that Fortune 500 companies that announced the adoption of new family-friendly policies saw same-day increases in their share prices, indicating that investors anticipate that the benefits of such a program will outweigh any costs associated with providing it.³⁰

Evidence shows that paid family and medical leave programs are not abused.

- Evidence from the states show little to no abuse of paid family and medical leave programs.
 - In a survey of California employers, the vast majority said they were not aware of *any* instances of their employees abusing the state’s paid family leave program.³¹
 - In a study of New Jersey’s paid family leave program, not a single employer interviewed identified even a single instance of abuse. Indeed, several Human Resources managers interviewed expressed their views that abuse of the program was a virtual impossibility.³²

¹ A Better Balance, *Overview of Paid Family & Medical Leave Laws in the United States* (July 20, 2021), <https://www.abetterbalance.org/resources/paid-family-leave-laws-chart/>.

- ² EILEEN APPELBAUM & RUTH MILKMAN, LEAVES THAT PAY: EMPLOYER AND WORKER EXPERIENCE WITH PAID FAMILY LEAVE IN CALIFORNIA 7-9 (2011), <https://cepr.net/documents/publications/paid-family-leave-1-2011.pdf>; CENTER FOR ECONOMIC AND POLICY RESEARCH, p. 8, available at <https://cepr.net/documents/publications/paid-family-leave-1-2011.pdf>.
- ³ MIRIAM RAMIREZ, NEW JERSEY BUSINESS AND INDUSTRY ASSOCIATION, THE IMPACT OF PAID FAMILY LEAVE ON NEW JERSEY BUSINESSES (2012), <https://bloustein.rutgers.edu/wp-content/uploads/2012/03/Ramirez.pdf>.
- ⁴ ZACHARY CAMPBELL ET AL., THE IMPACT OF PAID LEAVE: EVIDENCE FROM TEMPORARY DISABILITY INSURANCE IN RHODE ISLAND 30 (July 2017), <https://www.mathematica-mpr.com/-/media/internet/conferences/2017/drc-annual-meeting2017/summaries/hastings.pdf?la=en>.
- ⁵ Ann P. Bartel et al., *The Impact of Paid Family Leave on Employers: Evidence from New York* (Nat'l Bureau of Econ. Rsch., Working Paper No. 28672, 2021), https://www.nber.org/system/files/working_papers/w28672/w28672.pdf.
- ⁶ Eileen Appelbaum & Ruth Milkman, *Achieving a Workable Balance*, CENTER FOR WOMEN AND WORK (2006), p. 23, available at <https://smlr.rutgers.edu/sites/default/files/images/achieving%20a%20workable%20balance%202006%20Appelbaum.pdf>.
- ⁷ SMALL BUSINESS FOR AMERICA'S FUTURE, PAID LEAVE POLICIES ON MAIN STREET (2021), <https://www.smallbusinessforamericasfuture.org/small-business-for-america-s-future-releases-paid-leave-survey-results>.
- ⁸ EILEEN APPELBAUM & RUTH MILKMAN, LEAVES THAT PAY: EMPLOYER AND WORKER EXPERIENCE WITH PAID FAMILY LEAVE IN CALIFORNIA 8-10 (2011), <https://cepr.net/documents/publications/paid-family-leave-1-2011.pdf>; CENTER FOR ECONOMIC AND POLICY RESEARCH, p. 8, available at <https://cepr.net/documents/publications/paid-family-leave-1-2011.pdf>.
- ⁹ GREER COWAN ET AL., THE CALIFORNIA EXPERIENCE: LESSONS FROM 20 YEARS OF CALIFORNIA'S PAID FAMILY LEAVE PROGRAM 13 (Sept. 2021), http://www.bayareaconomy.org/files/pdf/BACEI_PFL_Sept2021.pdf.
- ¹⁰ SMALL BUSINESS FOR AMERICA'S FUTURE, PAID LEAVE POLICIES ON MAIN STREET (2021), <https://www.smallbusinessforamericasfuture.org/small-business-for-america-s-future-releases-paid-leave-survey-results>.
- ¹¹ Sharon Lerner & Eileen Appelbaum, *Business as Usual: New Jersey Employers' Experiences with Family Leave Insurance*, CTR. FOR ECON. & POL'Y RSCH. (2014), <http://www.cepr.net/documents/nj-fl-2014-06.pdf>.
- ¹² JOAN WILLIAMS. UNBENDING GENDER: WHY WORK AND FAMILY CONFLICT AND WHAT TO DO ABOUT IT (2001).
- ¹³ SMALL BUSINESS FOR AMERICA'S FUTURE, PAID LEAVE POLICIES ON MAIN STREET (2021), <https://www.smallbusinessforamericasfuture.org/small-business-for-america-s-future-releases-paid-leave-survey-results>.
- ¹⁴ Sharon Lerner & Eileen Appelbaum, *Business as Usual: New Jersey Employers' Experiences with Family Leave Insurance*, CTR. FOR ECON. & POL'Y RSCH. (2014), <http://www.cepr.net/documents/nj-fl-2014-06.pdf>.
- ¹⁵ HEATHER BOUSHEY & SARAH JANE GLYNN, CTR. FOR AM. PROGRESS, THERE ARE SIGNIFICANT COSTS TO REPLACING EMPLOYEES (2007), <https://cdn.americanprogress.org/wp-content/uploads/2012/11/CostofTurnover.pdf>.
- ¹⁶ Benjamin Bennett et al., *Paid Leave Pays Off: The Effects of Paid Family Leave on Firm Performance* (Nat'l Bureau of Econ. Rsch., Working Paper No. 27788, 2021), https://www.nber.org/system/files/working_papers/w27788/w27788.pdf.
- ¹⁷ EILEEN APPELBAUM & RUTH MILKMAN, LEAVES THAT PAY: EMPLOYER AND WORKER EXPERIENCE WITH PAID FAMILY LEAVE IN CALIFORNIA (2011), <https://cepr.net/documents/publications/paid-family-leave-1-2011.pdf>; CENTER FOR ECONOMIC AND POLICY RESEARCH, p. 8, available at <https://cepr.net/documents/publications/paid-family-leave-1-2011.pdf>.
- ¹⁸ Replacing an employee costs 50-75% of an hourly employee's annual pay and up to 150% of a salaried employee's annual pay. Jodie Levin-Epstein, *Getting Punched: The Job and Family Clock* (2006), CENTER FOR LAW AND SOCIAL POLICY, p. 9, available at <http://www.clasp.org/resources-and-publications/files/0303.pdf>.
- ¹⁹ *Morning Consult Poll: The Value of Paid Family Leave*, BIPARTISAN POL'Y CTR. (Sept. 7, 2021), <https://bipartisanpolicy.org/blog/morning-consult-poll-value-of-paid-family-leave/>.
- ²⁰ THEA GARON ET AL., UNPAID AND UNPROTECTED: HOW THE LACK OF PAID LEAVE FOR MEDICAL AND CAREGIVING PURPOSES IMPACTS FINANCIAL HEALTH 5 (Sept. 2021), https://fhn-finhealthnetwork-assets.s3.amazonaws.com/uploads/2021/09/PulsePaidLeave_UnpaidUnprotected.pdf.
- ²¹ Bennett et al., *supra* note 15.
- ²² PANORAMA & AM. SUSTAINABLE BUSINESS COUNCIL, THE BUSINESS IMPACTS OF PAID LEAVE (2019), https://www.asbcouncil.org/sites/main/files/file-attachments/panorama_report_-_business_impacts_of_paid_leave.pdf.
- ²³ EILEEN APPELBAUM & RUTH MILKMAN, LEAVES THAT PAY: EMPLOYER AND WORKER EXPERIENCE WITH PAID FAMILY LEAVE IN CALIFORNIA (2011), <https://cepr.net/documents/publications/paid-family-leave-1-2011.pdf>; CENTER FOR ECONOMIC AND POLICY RESEARCH, p. 8, available at <https://cepr.net/documents/publications/paid-family-leave-1-2011.pdf>.
- ²⁴ PANORAMA & AM. SUSTAINABLE BUSINESS COUNCIL, THE BUSINESS IMPACTS OF PAID LEAVE (2019), https://www.asbcouncil.org/sites/main/files/file-attachments/panorama_report_-_business_impacts_of_paid_leave.pdf.
- ²⁵ EILEEN APPELBAUM & RUTH MILKMAN, LEAVES THAT PAY: EMPLOYER AND WORKER EXPERIENCE WITH PAID FAMILY LEAVE IN CALIFORNIA 8 (2011), <https://cepr.net/documents/publications/paid-family-leave-1-2011.pdf>.
- ²⁶ GREER COWAN ET AL., THE CALIFORNIA EXPERIENCE: LESSONS FROM 20 YEARS OF CALIFORNIA'S PAID FAMILY LEAVE PROGRAM 13 (Sept. 2021), http://www.bayareaconomy.org/files/pdf/BACEI_PFL_Sept2021.pdf.
- ²⁷ Abay Asfaw et al., *Paid Sick Leave and Nonfatal Occupational Injuries*, 102.9 AMERICAN JOURNAL OF PUBLIC HEALTH e59-e64 (2012), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3482022/>.
- ²⁸ Daniel Kim, *Paid Sick Leave and Risks of All-Cause and Cause-Specific Mortality Among Adult Workers in the USA*. 14.10 INT. J. OF ENV. RESEARCH AND PUB. HEALTH 1247 (2017), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5664748/pdf/ijerph-14-01247.pdf>.



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²⁹ T.G. Hollo, *Evaluating family and medical leave insurance for Washington state*, 11 Economic Opportunity Institute (May 2012), <http://www.opportunityinstitute.org/wp-content/uploads/family-leave-insurance/EvaluatingFamilyandMedicalLeave-Jan13.pdf>.

³⁰ Michelle M. Arthur & Alison Cook, *Taking Stock of Work-Family Initiatives: How Announcements of "Family-Friendly" Human Resource Decisions Affect Shareholder Value*, 57 INDUSTRIAL & LAB. RELATIONS REV. 608-10 (2004).

³¹ EILEEN APPELBAUM & RUTH MILKMAN, LEAVES THAT PAY: EMPLOYER AND WORKER EXPERIENCE WITH PAID FAMILY LEAVE IN CALIFORNIA 4 (2011), <https://cepr.net/documents/publications/paid-family-leave-1-2011.pdf>.

³² Sharon Lerner & Eileen Appelbaum, *Business as Usual: New Jersey Employers' Experiences with Family Leave Insurance*, CTR. FOR ECON. & POL'Y RSCH. 24 (2014), <http://www.cepr.net/documents/nj-fl-2014-06.pdf>.

SB-360-SD-2

Submitted on: 3/14/2023 11:02:00 AM

Testimony for LGO on 3/16/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Colleen Rost-Banik	Individual	Support	Written Testimony Only

Comments:

Aloha. My name is Colleen Rost-Banik and I am a Sociology Instructor for University of Hawaii, Manoa. I fully support SB360 in its ORIGINAL version, and encourage you to do so as well. Family leave is crucial for working families. It is beyond time that Hawai'i join with the 13 other states and Washington DC that have an established policy for paid, family leave, rather than a "procedural manual," which does not commit employers to any specific regulations. Guaranteed, paid family leave proves beneficial to all of society. In a state where obtaining a living wage is difficult, the state needs to provide this important social safety net so that people can afford to take care of loved ones. Without this legislation, in its original form, it is likely that even more local families will leave the state because they are not able to afford the costs of living and care taking.

Please consider reverting SB360 to its original version and supporting it!

Mahalo for your time and consideration.
Colleen Rost-Banik, PhD



To: LGO Chair Matayoshi, Vice Chair Garrettt and Committee members

Subject: Testimony in SUPPORT of SB360_SD2 Relating to Paid Family Leave

Hearing: Hawai'i State Capitol, Room 309, March 16, 2023 at 9:30 a.m.

Thank you Chair, Vice Chair and Committee members for considering this testimony in SUPPORT of SB360_SD2 regarding Paid Family Leave.

Respectfully, no one seems to know what a "procedural manual" implies. I believe reversion to older implementation language would provide clarity for the Paid Family Leave coalition and Hawai'i government leaders responsible for execution.

The United States remains the only industrialized nation in the world without paid family leave. By establishing paid family leave in Hawaii, we would join 120 nations with paid maternity leave and the American states of California, Colorado, Connecticut, Delaware, Massachusetts, New Hampshire, New Jersey, New York, Oregon, Rhode Island, Washington, Wisconsin and the District of Columbia who have paid family leave.

The Family Leave and Medical Leave Act was passed in 1993 and provides leave but no wage replacement. For many workers, that means taking time off for the birth of a baby or to care for a family member is often economically impossible. This burden falls heavily on women who are traditionally care givers and are frequently heads of single parent households, yet are still earning 83% of males doing the same work and are the majority of minimum wage workers in Hawai'i.

I note that other Paid Family Leave bills have been introduced and referred for study five times including the last "sunset" review. The most detailed plan was completed in 2017 when the US Dept of Labor funded a thorough study for a paid family leave insurance program specific for Hawai'i with expertise from nationally recognized experts in the field. That study proposed a Paid Family Leave Insurance program which would provide progressive wage replacement paid from employee contributions of about \$1 per week.

Please support the passage of this bill because Hawaii's families need paid family leave. Thank you for allowing me to testify in SUPPORT of SB360.

Sincerely,

Amy Monk, Co-chair

Hawai'i State Democratic Women's Caucus

SB-360-SD-2

Submitted on: 3/14/2023 11:43:45 AM

Testimony for LGO on 3/16/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Chris Barzman	Individual	Support	Written Testimony Only

Comments:

Strongly support this bill.

SB-360-SD-2

Submitted on: 3/14/2023 12:14:02 PM

Testimony for LGO on 3/16/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
L.Pana	Individual	Comments	Written Testimony Only

Comments:

I have strong reservations about SB 360, SD2. In the past several analyses of establishing a paid family leave program in Hawai'i have been conducted and presented to the Hawai'i State Legislature. These reports include comprehensive focus and protocols, inclusive of costs and various studies that warrants a "procedural manual" as unnecessary. Moreover, the current draft of this bill places the creation of the manual entirely within the auspices of DLIR, leaving family leave experts and advocates on the sidelines.

Working families need relief now. Please revert this bill back to its ORIGINAL version. Thirteen states and the District of Columbia have passed paid family leave laws and the states with paid family leave have seen significant public health, social, and economic benefits. Paid family leave benefits everyone, businesses included.

It is time for Hawai'i to join the other states that have initiated paid family leave programs and enact this important policy to uplift the well-being of working families and their keiki.

SB-360-SD-2

Submitted on: 3/14/2023 12:15:43 PM

Testimony for LGO on 3/16/2023 9:30:00 AM

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

Comments:

Thank you for this opportunity to submit a testimony in support. While I support the intent, I am not sure what a "procedural manual" means nor would accomplish. Please revert SB360 back to the original language. We need paid family leave in Hawaii so we can take care of our loved ones.

SB-360-SD-2

Submitted on: 3/14/2023 12:18:14 PM

Testimony for LGO on 3/16/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Nhi Hoan Quach	Individual	Support	Written Testimony Only

Comments:

I SUPPORT THIS BILL IN ITS ORIGINAL VERSION

As an individual with no children but aging parents to care for, I and many other working people like me needs to be supported by paid family leave. With a rapidly aging population and many young people leaving the state for better economic opportunities, this is one way to reaffirm for those who choose to stay here that our caregiving role is work and that it contributes to the economy. Meanwhile, [Hawai'i has 157,000 unpaid family caregivers, providing 131 million hours of care](#) per year, and those numbers will continue to increase as our population ages. As a caregiver I need to know that should I ever need take care of my own health needs, I have paid family leave to ensure that I can.

SB-360-SD-2

Submitted on: 3/14/2023 12:36:30 PM

Testimony for LGO on 3/16/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
tia pearson	Individual	Support	Written Testimony Only

Comments:

I SUPPORT THIS BILL IN ITS ORIGINAL VERSION

We already know the benefits of having the original version since 13 other states have it already and their economy is benefitting from it. Why would you change it to something that won't benefit anyone?

SB-360-SD-2

Submitted on: 3/14/2023 12:40:50 PM

Testimony for LGO on 3/16/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Jordan Smith	Individual	Support	Written Testimony Only

Comments:

Hawaii's families deserve paid family leave. While I support the intent of this bill, please revert it back to its original version. It is not clear what a "procedural manual" means. Instead, Hawai'i should join the other states that have paid family leave programs and move to establish this important policy here.

Thank you for your consideration of this important measure for Hawaii's families.

SB-360-SD-2

Submitted on: 3/14/2023 2:32:01 PM

Testimony for LGO on 3/16/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Margaret Gonce	Individual	Support	Written Testimony Only

Comments:

I support this bill in its original version.



March 14, 2023

Rep. Scot Matayoshi, Chair
Rep. Andrew Garrett, Vice Chair
House Committee on Labor and Government Relations

RE: Testimony in support of SB 360, Relating to Family Leave

Dear Chair Matayoshi, Vice Chair Garrett, and Committee Members,

On behalf of Hawaii Foodbank, **I support SB 360**, which would require the department of labor and industrial relations to establish and administer a family leave insurance program.

Hawai'i has the highest cost of living of any state in the nation, and food security is a critical issue, with one in six residents lacks comprehensive access to healthy, nutritious food. When changes in family circumstances place financial pressures on families, putting food on the table can become an even bigger challenge. Paid family leave is helps ensure families who welcome a new child, care for family members, or are recovering from medical issues are better able to cover basic needs.

The Hawai'i Foodbank gathers donated, rescued, and purchased food and distribute it to those in need through our network of more than 200 agency partners. We also work with partners toward long-term solutions to ending hunger, and we support a paid family leave program that will helps families maintain the financial security essential for their health and well-being.

Mahalo for your consideration.

With aloha,

Amy Miller Marvin
President and CEO, Hawaii Foodbank



To: House Labor and Government Operations Committee
Hearing Date/Time: March 16, 2023 9:30 AM
Re: Testimony in SUPPORT of SB360 SD2 in the original version

Dear Chair Matayoshi, Vice Chair Garrett, and the Members of Committee,

Members of AAUW of Hawaii thank you for this opportunity to testify in support of SB360 SD2 (HB236).

We support paid family leave for Hawaii's workers. However, the current version has changed from establishing a paid family leave program to requiring the Department of Labor and Industrial Relations to create a "procedural manual" for paid family leave. As a result, while we support the intent, we think that language is unclear and ask that the bill revert back to the original language.

Already 13 states and the District of Columbia have passed family leave laws. Moreover, states with paid family leave have seen significant health, social and economic benefits. Paid family leave is good for business improving productivity and loyalty in the work force when it is available. Much our workforce in Hawaii cannot afford to take unpaid leave to care for a new child or a family member with a serious health condition and we should not force them to choose between their well-being and caring for their keiki or kupuna.

Please support SB360 SD2 with the original language, and thereby support our workforce and their families in Hawaii.

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



House Committee on Labor & Government Operations

Hawai'i Alliance for Progressive Action (HAPA) Comments: SB360 SD2

Thursday, March 16, 2023 9:30 a.m. Conference Room 309

Aloha Chair Matayoshi, Vice Chair Garrett and Members of the Committee,

HAPA submits the following comments, with suggested amendments, for SB360 SD2 which requires the Department of Labor and Industrial Relations, in consultation with the Insurance Commissioner, to develop a procedural manual to implement a family leave insurance program that pays family leave insurance benefits. The measure also appropriates funds and establishes positions within DLIR to conduct the study.

HAPA has strong reservations about the current draft and humbly ask for it to be reverted to its original form. We oppose this measure being turned into a bill that tasks DLIR with creating a "procedural manual" for family leave, rather than establishing an actual family program. This measure as currently written could leave family leave experts and advocates on the sidelines.

Furthermore, in the past six years, two analyses of establishing a paid family leave program in Hawai'i have been conducted and presented to the Hawai'i State Legislature. These reports include an economic analysis, Hawai'i-based eligibility modeling and cost breakdowns, a feasibility study, opinion polling and focus groups, options for compliance, and enforcement protocols. A "procedural manual" is unnecessary. Moreover, the current draft of this bill places the creation of the manual entirely within the auspices of DLIR, leaving family leave experts and advocates on the sidelines.

In 2018, only 17 percent of workers in the United States had access to paid family leave through their employers. Women, who are often primary caregivers of infants, children, and elderly parents, are disproportionately affected by the absence of paid family leave. No one should have to sacrifice their financial well-being to care for their keiki or kupuna.

The majority of Hawai'i's workforce cannot afford to take unpaid leave to care for a new child or assist a family member with a serious health condition. Hawai'i law only provides a four-week extension of unpaid leave to employees of large employers with more than one hundred employees. All workers deserve access to family leave, which is essential in allowing parents to care for newborn keiki and family members who are seriously ill.



In just the past 6 years, two analyses of the potential establishment of a paid family leave program in Hawai'i have been conducted and presented to the legislature. The 371 pages of these two reports include an economic analysis, Hawai'i-based eligibility modeling and cost breakdowns, a feasibility study, opinion polling and focus groups, and options for compliance and enforcement of a paid family leave program.

The United States is the only developed country without national paid family leave. Thirteen states and the District of Columbia have passed paid family leave laws, and the states with paid family leave have seen significant health, social and economic benefits. Paid family leave is good for business—employees become more productive and loyal when they have it.

Rather than convene yet another study of this proven strategy, Hawai'i should join the other states that have paid family leave programs and move to establish this important policy here.

There is nothing else that needs studying on this issue. Working families need relief now. Not sometime down the road.

Please amend SB360 SD2 back to its original version.

Mahalo for your consideration,

A handwritten signature in black ink, appearing to read 'Anne Frederick', written in a cursive style.

Anne Frederick
Executive Director

To: Hawaii State Senate Committee on Labor and Government Operations
Hearing Date/Time: Thursday, March 16, 2023, 9:30am
Place: Hawaii State Capitol, CR 309 & Videoconference
Re: Judith Ann Armstrong supports of SB360 relating to paid family leave.

Dear Members of the Labor and Government Operations Committee,

I, Judith Ann Armstrong, support SB 360 Relating to Family Leave.

- The United States is the only developed country without national paid family leave.
- 13 states and the District of Columbia have passed paid family leave laws.
- States with paid family leave have seen significant health, social and economic benefits.
- Paid family leave is good for business -- employees become more productive and loyal when they have it
- While I support the intent of this bill, please revert it back to its original version. It is not clear what a "procedural manual" means. Instead, Hawai'i should join the other states that have paid family leave programs and move to establish this important policy here.

Thank you for this opportunity to testify in support of SB360.

Sincerely,

Judith Ann Armstrong



Hawai'i Children's Action Network Speaks! is a nonpartisan 501c4 nonprofit committed to advocating for children and their families. Our core issues are safety, health, and education.

To: House Committee on Labor & Government Operations

Re: **SB 360, SD2 - Relating to Family Leave**

Hawai'i State Capitol and via videoconference

March 16, 2023, 9:30 AM

Dear Chair Matayoshi, Vice Chair Garrett, and Committee Members,

On behalf of Hawai'i Children's Action Network Speaks!, I am writing in **SUPPORT with suggested amendments to SB 360, SD2**. This bill requires the Department of Labor, in consultation with the Insurance Commissioner, to develop a procedural manual to implement a family leave insurance program that pays family leave insurance benefits.

We respectfully request that your committee return this bill to its original version, as Hawai'i is ready to implement a paid family leave program now. **Alternately**, we suggest that the committee move to **create a blue-ribbon paid family leave implementation board** with appropriated funds and concrete deadlines **to establish paid family leave and lay the groundwork to implement a framework of paid family leave laws and policies**, as was seriously considered by the legislature during the 2018 session.¹

Paid family leave is a proven strategy, and we believe Hawai'i should join the other states that have paid family leave programs and move to establish this important policy. Since 2017, two detailed analyses of the potential establishment of a paid family leave program in Hawai'i have been conducted and presented to the legislature:

- The Hawai'i State Commission on the Status of Women was awarded a grant from the U.S. Department of Labor to see how paid family leave would work in Hawai'i. With that grant, Hawai'i-specific research was conducted in 2017 by national experts and local organizations. This comprehensive family leave report² included an economic analysis and eligibility and benefit modeling; a feasibility study; opinion polling of Hawai'i workers; and focus groups of local unions, employers, parents, and family caregivers. Among many findings, it found that paid family leave in Hawai'i is feasible, not expensive, and supported by 94% of Hawai'i workers.
- That report was followed by Act 109 (2018), which directed the Legislative Reference Bureau to conduct an analysis to understand the impacts of the establishment of a paid family leave program on industry, consumers, employees, employers and caregivers, which was delivered prior to the 2020 legislative session. It included Hawai'i-based cost breakdowns for state-specific models as well as options for compliance and enforcement of a proposed paid family leave program.

¹ https://www.capitol.hawaii.gov/sessions/session2018/bills/SB2990_SD1_.HTM

²

https://d3n8a8pro7vhmx.cloudfront.net/goodbeginnings/pages/196/attachments/original/1521088022/Hawaii_Family_Leave_Insurance_Analysis_Report.pdf?1521088022

HCAN Speaks! Board
of Directors

Liza Ryan Gill
President

Nick Kacprowski, J.D.
Treasurer

Mandy Fernandes
Secretary

Teri Keliipuleole
Jasmine Slovak
Erica Yamauchi

The United States is the only developed country without national paid family leave.³ To fill that gap, thirteen states plus the District of Columbia have passed paid family leave laws.⁴ Hawai'i should join them.

Paid family leave allows workers to take time off and still receive part of their income when they need to care for their own serious health needs or those of a loved one, or to bond with a new child. Paid family leave includes:

- Parental leave – for parents, including fathers and adoptive and foster parents, to bond with a new child
- Medical leave – for a worker to recover from their own serious illness or injury
- Caregiving leave – for a worker to care for a family member with a serious health condition.

In some states, paid family leave also includes:

- Deployment leave – to handle arrangements for military service
- Safe leave⁵ – to deal with domestic violence, such as seeking a restraining order or relocating.

Though both provide time off, paid family leave is not the same as paid sick days. Paid family leave provides time off for major life events, like the birth of a child or extended illnesses. In contrast, paid sick days usually do not provide enough time for recovery from childbirth or a major medical event.

In most of the states that have passed paid family leave laws, the program:⁶

- Is a state-run benefit program, like Social Security or Medicare
- Is funded by small payroll deductions that go into a state fund, which workers apply to when they need to take leave
- Employers do not need to pay employees while they are on leave, since they are paid from the state fund
- Is available to both full and part-time workers
- Provides between 8 and 30 weeks of paid leave per year
- Provides a higher portion of wages to lower-income workers, so they can afford to take leave
- Ensures that employees have a job to go back to after they take leave

Paid leave helps children by helping their parents. Research has found that states with paid family leave have seen significant health, social and economic benefits.⁷ Families who have access to paid leave – especially working women – are healthier, more economically secure, more likely to stay in the workforce, and less likely to need public benefits.

Paid family leave is good for business, because employees are more productive, which can help increase profits, and loyal, which lowers turnover costs, according to research that looks at how paid family leave works in other states.⁸

³ <https://bipartisanpolicy.org/explainer/paid-family-leave-across-oecd-countries/>

⁴ <https://bipartisanpolicy.org/explainer/state-paid-family-leave-laws-across-the-u-s/>

⁵ <https://www.americanprogress.org/article/the-state-of-paid-family-and-medical-leave-in-the-u-s-in-2023/>

⁶ <https://bipartisanpolicy.org/explainer/state-paid-family-leave-laws-across-the-u-s/>

⁷ https://www.abetterbalance.org/wp-content/uploads/2021/09/PFML_Health-Case_Fact-Sheet_11.30.21.pdf

⁸ https://www.abetterbalance.org/wp-content/uploads/2021/09/PFML_Business-Case_Fact-Sheet_5.10.22.pdf

In addition, statewide paid family leave helps even the playing field for small businesses. Currently, most small businesses cannot afford to offer adequate paid family leave to their employees, which puts them at a disadvantage when it comes to attracting and retaining the best workers.

With a statewide paid family leave program, small payroll deductions would go into a state fund, which workers would apply to when they need to take leave. Since employees would be paid from the state fund while taking family leave, employers would not need to pay them while they are on leave.

In other words, enabling small businesses to provide paid family leave through a state program helps them compete for the best workers. Not surprisingly, recent surveys show that two-thirds of small business owners support paid family leave.⁹

Similarly, as Hawai'i struggles to keep our working-age families from moving away, we are competing with states that have paid family leave – including California, Washington and Oregon – for the best workers. When young couples are deciding where to start a family, paid family leave may be an important deciding factor for them.

Currently, only one in four private sector workers has access to paid family leave.¹⁰ Lower-income workers in Hawai'i – who are more likely to be Native Hawaiian or Pacific Islander – are the least likely to have paid family leave, while they need that financial support the most.

The federal Family Medical Leave Act (FMLA) and Hawai'i Family Leave Law (HFLL) protect an employee from losing their job while they are caring for a sick relative or their self or bonding with a new child, but that leave is unpaid.

Since the FMLA and HFLL apply only to very large employers, the provision in the original version of this bill to eliminate the threshold of 100 employees for employers to be subject to the HFLL is very important. In fact, 93% of firms in Hawaii have fewer than 100 employees.¹¹

Most working mothers who give birth can get partial pay through Hawai'i Temporary Disability Insurance (TDI) to recover from childbirth, but TDI cannot be used by non-birth parents or to care for other family members. Meanwhile, Hawai'i has 157,000 unpaid family caregivers, providing 131 million hours of care per year,¹² and those numbers will continue to increase as our population ages.

No one in Hawai'i should ever have to choose between their loved ones and their paycheck. It's time for Hawai'i to guarantee paid family leave for all of our workers.

Mahalo for the opportunity to provide this testimony. Please pass this bill with either of our suggested amendments.

Thank you,

Nicole Woo

Director of Research and Economic Policy

⁹ <https://smallbusinessmajority.org/our-research/small-businesses-support-bold-investments-child-care>

¹⁰ <https://www.nationalpartnership.org/our-work/resources/economic-justice/paid-leave/paid-leave-means-a-stronger-Hawai%E2%80%98i.pdf>

¹¹ <https://www.census.gov/data/tables/2019/econ/susb/2019-susb-annual.html>

¹² <https://www.aarp.org/ppi/info-2015/valuing-the-invaluable-2015-update.html>

SB-360-SD-2

Submitted on: 3/14/2023 4:41:16 PM

Testimony for LGO on 3/16/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Elizabeth Nelson	Individual	Comments	Written Testimony Only

Comments:

Please revert the bill back to its original draft. 2 analyses of establishing a paid family leave program in Hawai'i have been conducted and presented to the Legislature. A procedural manual is unnecessary. Moreover, the current draft of this bill places the creation of the manual entirely within the auspices of DLIR, leaving family leave experts and advocates on the sidelines.

Working families need relief now. Please revert the bill back to its original version. Thirteen states and the District of Columbia have passed paid family leave laws and those states have seen significant public health, social and economic benefits. Paid family leave is good for business, too, as employees become more productive and loyal.

Thank you for your consideration.

Elizabeth Nelson



Randy Perreira, President

HAWAII STATE AFL-CIO
Hawaii's Labor Unions

888 Mililani Street Suite 501, Honolulu, Hawaii 96813

The Thirty-Second Legislature, State of Hawai'i
Hawai'i State House of Representatives
Committee on Labor & Government Operations

Testimony by
Hawai'i State AFL-CIO
March 16, 2023

S.B. 360 S.D. 2 – RELATING TO FAMILY
LEAVE

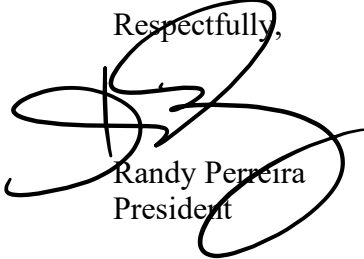
The Hawai'i State AFL-CIO is a state federation of 74 affiliate local unions and councils with over 68,000 members across both public and private sectors. We appreciate the opportunity to comment on S.B. 360 S.D. 2.

Paid family 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 a 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 family 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 comments on S.B. 360 S.D. 2.

Respectfully,



Randy Perreira
President

RP/dd

SB-360-SD-2

Submitted on: 3/14/2023 5:11:34 PM

Testimony for LGO on 3/16/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Ryan Samonte	Individual	Comments	Written Testimony Only

Comments:

I support this bill in its original version.

SB-360-SD-2

Submitted on: 3/14/2023 5:27:02 PM

Testimony for LGO on 3/16/2023 9:30:00 AM

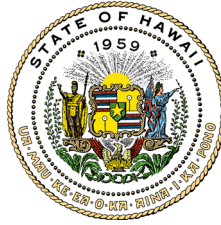
Submitted By	Organization	Testifier Position	Testify
Angel M. Willey, MD	Individual	Support	Written Testimony Only

Comments:

I am in support of SB360! Thank you, Angel M. Willey MD

JOSH GREEN, M.D.
GOVERNOR OF HAWAII
KE KIA'ĀINA O KA MOKU'ĀINA 'O HAWAII

KENNETH S. FINK, MD, MGA, MPH
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STATE OF HAWAII
DEPARTMENT OF HEALTH
KA 'OIHANA OLAKINO
EXECUTIVE OFFICE ON AGING
NO. 1 CAPITOL DISTRICT
250 SOUTH HOTEL STREET, SUITE 406
HONOLULU, HAWAII 96813-2831

Testimony COMMENTING on SB360 SD2
Relating to FAMILY LEAVE

COMMITTEE ON LABOR & GOVERNMENT OPERATIONS
REPRESENTATIVE SCOT Z. MATAYOSHI, CHAIR
REPRESENTATIVE ANDREW TAKUYA GARRETT, VICE CHAIR

Testimony of Caroline Cadirao
Director, Executive Office on Aging
Attached Agency to the Department of Health

Hearing Date: March 16, 2023
9:30 AM

Room Number: 309
Via videoconference

EOA's Position: The Executive Office on Aging (EOA), an attached agency to the Department of Health, supports the intent of SB360 SD2, relating to Family Leave, and provides comments.

Fiscal Implications: This measure appropriates funds for fiscal year 2023-2024 and fiscal year 2024-2025 for the Department of Labor and Industrial Relations to develop a procedural manual to implement a family leave insurance program.

Purpose and Justification: The purpose of this bill is to require the Department of Labor and Industrial Relations to develop a procedural manual for a family leave insurance program that pays family leave insurance benefits, submit a report to the Legislature, and appropriate funds. According to the U.S. Bureau of Labor Statistics most working people in the United States do not have paid family leave through their jobs, including about 75 percent, about 508,000 workers, in Hawai'i. Even unpaid leave under the federal Family and Medical Leave Act is inaccessible for 69 percent of Hawai'i residents.

EOA recognizes the need for a family leave program. Hawai‘i’s aging population continues to increase. Between 2020 and 2030 the population of those age sixty-five and over is expected to increase significantly by 22.5%. In 2013, AARP reported that there were 154,000 unpaid family caregivers in Hawai‘i caring for their elderly parent and/or spouse. Caregivers spend hours assisting their loved ones with daily tasks, preparing meals, driving, and accompanying them to medical appointments without compensation. Many of these caregivers struggle to balance full or part time work with caring for their loved one. A paid family leave program would allow working caregivers to balance their work and family responsibilities and would mean that working caregivers are not forced to leave the labor force to care for their families.

Paid family leave benefits employers as well. Workers with family leave are more likely to return to work after their leave is over. Studies have shown that paid family leave increases worker productivity and retention rates. Thirteen states and the District of Columbia have passed family leave laws. States with family leave have seen significant health, social, and economic benefits. Implementing a state paid family leave program benefits businesses and workers.

Recommendation: EOA respectfully requests that this measure be returned to its original version for a “paid family leave program” and defer to DLIR for implementation.

Thank you for the opportunity to testify.



March 16, 2023

To: Representative Scot Matayoshi, Chair
Representative Andrew Garrett, Vice Chair and
Members of the Committee on Labor and Government Operations

From: Jeanne Ohta, Hawai'i State Democratic Women's Caucus

RE: SB 360 SD2 Relating to Family Leave

Position: Support Original Version of SB 360

Chair Matayoshi, Vice Chair Garrett and members of the committee; the Hawai'i State Democratic Women's Caucus writes to support the original version of SB 360 Relating to Family Leave which provided for the establishment and administration of a family leave insurance program that provided family leave insurance benefits and extended the period of family leave to 16 weeks for businesses that employ one or more employees who meet the hourly qualifications. It also eliminated the previous threshold of 100 employees for employers to be subject to the family leave law.

The elimination of the threshold of 100 employees for employers to be subject to the family leave law would be more inclusive as most of Hawaii's employers have fewer than 100 employees.

We are dismayed that the current version SD2 has assigned the Department of Labor and Industrial Relations (DLIR) to create a "procedural manual" for paid family leave rather than actually establishing a paid family leave program. In the past six years, two analyses of establishing paid family leave programs have been conducted. These reports include an economic analysis, Hawai'i-based eligibility modeling and cost breakdowns, a feasibility study, opinion polling and focus groups, options for compliance, and enforcement protocols. A "procedural manual" assigned entirely to DLIR and omitting family leave experts and other advocates is bad policy, unnecessary and a waste of time.

We ask the Committee to revert SB 360 SD 2 to its original version. Families cannot wait for yet another delay for a paid family leave program. As we discovered during the pandemic, paid family leave is essential for families, employers, and our workforce. Paid family leave is good for business because employees are more productive when they have a benefit that helps to protect their families. In order for full participation in our economy, workers must have access to the benefits of paid leave otherwise, our businesses face a shortage of workers.

A paid family leave policy also helps even the playing field for small businesses. Currently, most small businesses cannot afford to offer adequate paid family leave to their employees, which puts them at a

disadvantage when it comes to attracting and retaining the best workers. A recent survey showed that two-thirds of small business owners support paid family leave.¹

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

A paid family leave policy is a priority of the Hawai'i State Democratic Women's Caucus. We ask that the committee support working families by passing a measure that actually establishes a paid family leave program. We thank the committee for this opportunity to provide our support for a paid family leave program.

¹ Survey: Small Businesses Support Tax Reforms to Pay for Robust Infrastructure Investments, Small Business Majority, June 8, 2021, www.smallbusinessmajority.org.



HAWAII APPLESEED

CENTER FOR LAW & ECONOMIC JUSTICE

Testimony of the Hawai‘i Appleseed Center for Law & Economic Justice
Comments on SB 360 SD2 – Relating to Family Leave
House Committee on Labor & Government Operations
Thursday, March 16, 2023, 9:30 AM, Conference Room 309 & Via Videoconference

Dear Chair Matayoshi, Vice Chair Garrett, and members of the Joint Committee:

Thank you for the opportunity to provide comments on SB 360 SD2, which would require the Department of Labor and Industrial Relations (DLIR), in consultation with the Insurance Commissioner, to develop a procedural manual to implement a family leave insurance program that pays family leave insurance benefits.

Hawai‘i Appleseed has serious concerns with this draft of the bill. Over the past six years, the state has conducted two analyses on the establishment of a paid family leave program in Hawai‘i and presented them to the Hawai‘i State Legislature. These reports have included an economic analysis, Hawai‘i-based eligibility modeling and cost breakdowns, a feasibility study, opinion polling and focus groups, options for compliance, and enforcement protocols. A “procedural manual” is unnecessary. Moreover, the current draft of this bill places the creation of the manual entirely within the auspices of DLIR, leaving family leave experts and advocates on the sidelines.

Hawai‘i is ready for a paid family leave program and working families need relief now. Please revert this bill back to its original version.

The United States is the only developed nation that doesn’t provide its workers with paid family leave.¹ The federal Family and Medical Leave Act provides employees with only *unpaid* leave, and more than 40 percent of private sector workers are not covered by it. Meanwhile, the Hawai‘i Family Leave Law provides only four weeks of *unpaid* leave and also fails to cover around 40 percent of the state’s workforce. Hawai‘i’s temporary disability insurance program offers partial wage replacement to workers recovering from illness or injury, including childbirth, but no job protection. It’s also not available to non-biological parents or to family caregivers.

Low-wage workers are the least likely to have access to paid family leave, while they need the financial support of paid leave the most. With more and more of our kūpuna needing care, our state needs to create a safety net for families facing serious caregiving responsibilities. Although some individual companies offer employees paid leave, this benefit is typically only available to higher-income workers.

¹ Livingston, Gretchen and Deja Thomas, “Among 41 countries, only U.S. lacks paid parental leave,” Pew Research Center, December 16, 2019, <https://www.pewresearch.org/fact-tank/2019/12/16/u-s-lacks-mandated-paid-parental-leave/>

Nationally, only 6 percent of low-wage workers have access to paid family leave.²

This lack of access to paid family leave has profound consequences for our working families. In Hawai‘i, two-thirds of children live in households where both parents work, and a quarter live in households headed by a single parent, leaving no full-time caregiver at home.³

That is why it’s crucial for Hawai‘i to put into place a strong financial safety net for the hard-working families who desperately need support when faced with serious family caregiving responsibilities.

Paid leave laws are or will soon be in place in 11 states across the country and the District of Columbia.⁴ Their programs operate under a social insurance system, with employees and/or employers across the state paying into a dedicated insurance fund. By spreading both risks and resources across all workers, this system provides benefits at a low per-person cost.

In order for such a program to be truly effective in Hawai‘i, it is important for a paid family leave program to also follow a similar social insurance model. Examples of a social insurance approach are programs like Social Security and Medicare. Experts from both the left and the right agree that this is the best way to reduce costs to employers and overall administrative expenses, as well as prevent discrimination against those workers who are mostly likely to take leave. Even the right-leaning American Enterprise Institute prefers a social insurance program over an employer mandate to purchase family leave insurance or to self-insure.⁵ Creating a similar system in Hawai‘i would help keep workers, especially women, in the workforce, and at higher wages. It would also reduce reliance on public benefits.

Job-protected paid family leave provides job continuity, so workers are less likely to leave the labor force altogether. Research shows that mothers with access to family leave are more likely to return to work after the birth of a child and also more likely to return to the same or higher wages than they were earning before giving birth.⁶ In California, where the program has been in effect for over 15 years, mothers of small children were found to be working more hours and at higher average incomes than similar women were before the law was passed.

Studies also show that women who receive paid leave after the birth of a child are 39 percent less likely to rely on public assistance and 40 percent less likely to rely on food stamps than women who do not take paid leave, and this trend is also present in men.⁷

Furthermore, a Hawai‘i statewide poll found that 94 percent of respondents had either a “very favorable”

² Rossin-Slater, Maya and Lindsey Uniat, “Paid Family Leave Policies And Population Health,” *Health Affairs*, March 28, 2019, <https://www.healthaffairs.org/doi/10.1377/hpb20190301.484936/full/>

³ Kids Count Data Center, “Hawai‘i Indicators,” Annie E Casey Foundation, accessed February 12, 2023, <https://datacenter.kidscount.org/data#HI/2/0/char/0>

⁴ “State Paid Family & Medical Leave Insurance Laws,” National Partnership for Women & Families,” October 22, 2023, <https://www.nationalpartnership.org/our-work/resources/economic-justice/paid-leave/state-paid-family-leave-laws.pdf>

⁵ Mathur, Aparna, “An Employer Mandate vs a Social Insurance Model for Paid Leave,” American Enterprise Institute, October 10, 2017, <https://www.aei.org/wp-content/uploads/2017/10/DC-Testimony-Mathur-1.pdf>

⁶ “Paid Leave and Employment Stability of First-Time Mothers,” Impaq International and Institute for Women's Policy Research, January 2017, <https://www.dol.gov/sites/dolgov/files/OASP/legacy/files/IMPAQ-First-Time-Mothers.pdf>

⁷ Houser, Linda , and Thomas P. Vartanian, “Pay Matters: The Positive Economic Impacts of Paid Family Leave for Families, Businesses and the Public,” Rutgers Center for Women and Work, <https://www.nationalpartnership.org/our-work/resources/economic-justice/other/pay-matters.pdf>

(60 percent) or “somewhat favorable” (34 percent) perception of paid family leave. Nearly 6 in 10 (59 percent) said that they’d be willing to contribute a portion of their paycheck every month to a paid leave program, and the average amount that they said they’d be comfortable contributing is just over \$41 per month.⁸ That’s more than actuarial estimates of what such a system would cost workers in Hawai‘i, as well as the experience of the states that are already running paid family leave programs.

Mahalo for the opportunity to testify.

⁸ “Hawaii Family Leave Insurance Grant Analysis Report,” Hawaii State Commission on the Status of Women and Hawaii Working Families Coalition, November 2017, https://d3n8a8pro7vhmx.cloudfront.net/goodbeginnings/pages/196/attachments/original/1521088022/Hawaii_Family_Leave_Insurance_Analysis_Report.pdf?1521088022

SB-360-SD-2

Submitted on: 3/14/2023 9:16:54 PM

Testimony for LGO on 3/16/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Susie Chun Oakland	Individual	Support	Written Testimony Only

Comments:

Your willingness to hear this measure is deeply appreciated. I wholeheartedly support Hawaii's efforts to have statutory provision of paid family leave and hope that you shepherd SB360 to its successful passage.

With much aloha,

Susie Chun Oakland

SB-360-SD-2

Submitted on: 3/14/2023 9:02:47 PM

Testimony for LGO on 3/16/2023 9:30:00 AM

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

Comments:

Hawai'i needs a paid family leave program. I strongly support the legislation in it's original form. We do not need another study nor do we need DLIR, alone, to design a program without benefit of advocates and affected individuals who have much to contribute to an effective program.

I support SB360 in it's original form.

Mahalo for your consideration,

Mary Ochs

SB-360-SD-2

Submitted on: 3/14/2023 7:36:28 PM

Testimony for LGO on 3/16/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Raymond Catania	Individual	Comments	Written Testimony Only

Comments:

Aloha committee members,

I supported the original intent of this bil SB360, but the present amended form to turn this bill into a study is a sham. It is a waste of time and our tax money. All the facts have been laid out clearly why we need paid family leave explained by agencies like Hawaii Appleseed and the Hawaii Children's Action Network- this diversion was engineered by business interests like the Hawaii Chamber of Commerce, the leadership of the DLIR and individuals in this present legislature that are doing financially well and not suffering like many thousands are in Hawaii. Stop messing around with Hawaii's struggling workers. We need paid family leave now.

Mahalo,

Ray Catania, Lihue Kauai

SB-360-SD-2

Submitted on: 3/15/2023 7:22:48 AM

Testimony for LGO on 3/16/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Rachel Ebert	Sunshine Therapy	Support	Written Testimony Only

Comments:

- In support WITH revisions!
- As a therapist specializing in maternal mental health, it is clear that a program like this would be fundamental in supporting our families. And would have long-term benefits.
- The United States is the only developed country without national paid family leave.
- 13 states and the District of Columbia have passed paid family leave laws.
- States with paid family leave have seen significant health, social and economic benefits.
- Paid family leave is good for business -- employees become more productive and loyal when they have it.
- While I support the intent of this bill, please revert it back to its original version. It is not clear what a "procedural manual" means. Instead, Hawai'i should join the other states that have paid family leave programs and move to establish this important policy here.



Daniel Ross, RN
President

Gary Nuber
Director of Field Services

1600 Ala Moana Blvd Suite 100
Honolulu, HI 96814

Tel: (808) 531-1628
Fax: (808) 524-2760

The Thirty-Second Legislature, State of Hawai'i
Hawai'i State House
Committee on Labor and Government Operations

Testimony by
Hawaii Nurses Association
March 15, 2023

SB 360, SD2 – RELATING TO FAMILY LEAVE

The Hawaii Nurses Association -OPEIU Local 50 is affiliated with the AFL-CIO and was founded in 1917 and represents 4,000 nurses in the State of Hawaii. We are grateful to provide comments on S.B. 360.

We have strong reservations about the proposed change to SB 360, SD2. In the past six years, two analyses of establishing a paid family leave program in Hawai'i have been conducted and presented to the Hawai'i State Legislature. These reports include an economic analysis, Hawai'i-based eligibility modeling and cost breakdowns, a feasibility study, opinion polling and focus groups, options for compliance, and enforcement protocols. A "procedural manual" is unnecessary. Moreover, the current draft of this bill places the creation of the manual entirely within the auspices of DLIR, leaving family leave experts and advocates on the sidelines.

Working families need relief now. Please revert this bill back to its original version. The United States is the only developed country that lacks a comprehensive paid family leave program. Thirteen states and the District of Columbia have passed paid family leave laws and the states with paid family leave have seen significant public health, social, and economic benefits. Paid family leave is good for business, too, as employees become more productive and loyal when they have access to it.

It is time for Hawai'i to join the other states that have initiated paid family leave programs and enact this important policy to uplift the well-being of working families and their keiki.

Respectfully,

Daniel Ross
President

SB-360-SD-2

Submitted on: 3/14/2023 11:32:05 PM

Testimony for LGO on 3/16/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Laurie Takeno	Individual	Support	Written Testimony Only

Comments:

I strongly SUPPORT SB 360 - RELATING TO FAMILY LEAVE in its original version. Rather than convene another study of this proven strategy, I respectfully ask our legislators to help Hawaii join other states that have paid family leave programs and move to establish this important policy here. In just the past 6 years, two analyses of the potential establishment of a paid family leave program in Hawaii have been conducted and presented to the legislature. The 371 pages of these two reports include an economic analysis, Hawaii-based eligibility modeling and cost breakdowns, a feasibility study, opinion polling and focus groups, and options for compliance and enforcement of a paid family leave program.

The U.S. is the only developed country without national paid family leave, and so it is up to the States to provide these protections for our families. Thirteen States and the District of Columbia have already passed paid family leave laws. These States have seen significant health, social and economic benefits. Paid family leave is good for business—employees become more productive and loyal when they have it because they don't feel like they need to choose between work and the well-being of their families. As a working parent, I can attest to the difficulty of having to give up a paid work day so I can care for my sick child and the stress it causes. It is difficult to be an effective and productive employee when I am stressed about my family's financial situation and also the health of my family members. The majority of Hawaii's working people do not have the luxury of taking leave without pay to take care of sick children or elderly parents without it significantly impacting their financial situation.

I urge you to prioritize the backbone of Hawaii's workforce by passing SB360 in its original version, and make Hawai'i a place where taking care of our 'ohana is truly a value and priority, and we have policies that demonstrate these values.

Mahalo nui.



SB 360, SD2, RELATING TO FAMILY LEAVE

MARCH 16, 2023 · HOUSE LABOR AND
GOVERNMENT OPERATIONS COMMITTEE · CHAIR
REP. SCOT Z. MATAYOSHI

POSITION: Comments with amendments.

RATIONALE: Imua Alliance provides comments and suggested amendments for SB 360, SD2, relating to family leave, which requires the Department of Labor and Industrial Relations, in consultation with the Insurance Commissioner, to develop a procedural manual to implement a family leave insurance program that pays family leave insurance benefits.

We do not need a procedural manual family leave. Our state has already performed two studies, both of which have provided a roadmap and cost estimates for establishing a comprehensive family leave program for Hawai'i. Accordingly, we ask you to amend this measure by reverting it to its original form. Doing so would *finally* establish a family leave insurance program for Hawai'i's workers, with up to 16 weeks of paid time off to address family needs, including keiki and kupuna care.

Hawaii's workers need this benefit. In a 2017 public poll, 62 percent of Hawaii respondents reported that they had wanted to take leave in the past in order to care for a new child or family member. Currently, Hawaii employees do not have a right to paid family leave. The federal Family Medical Leave Act (which leaves out 40 percent of the state's workforce) provides for unpaid leave with up to 12 weeks for employers with 50 or more employees. The Hawai'i Family Leave Law (HFLL) applies to employers with 100 or more employees and allows up to four weeks. This is

also unpaid leave. Moreover, Hawai'i has the fastest growing aging population in the nation. Our senior (age 65+) population is expected to grow 81 percent by 2030. Approximately 247,000 Hawaii workers are caregivers for a family member.

This program would help Hawaii's businesses. Family leave insurance increases worker retention and loyalty. Workers who have access to family leave benefits are more likely to return to work after their leave is over. In a 10-year study of the California family leave insurance program, businesses reported that family leave had either a positive or a neutral effect on their business. Small businesses were less likely than large businesses to report any negative effects.

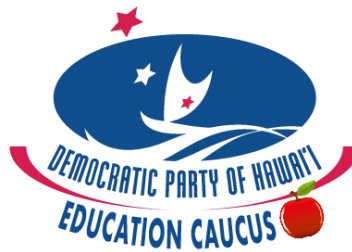
Providing paid time off for family caregiving strongly promotes gender equity. Women are often disproportionately impacted by the lack of paid leave, as they are the primary caregivers of infants, children, and aging parents. The lack of paid family leave exacerbates the gender wage gap for women and adversely impacts the economic stability of both male and female caregivers.

We know this can work in Hawai'i. Top experts on family leave have studied the usage, cost, and feasibility of implementing a family leave insurance program for the islands. These studies found that family leave insurance is a necessary and cost-effective way for workers to take adequate time off to care for their families without facing financial ruin or jeopardizing their careers.

We need a program that is affordable and designed to be revenue-neutral. The Institute for Women's Policy Research, which houses some of the nation's top experts on family leave, conducted an actuarial analysis using a simulation model to study the use and cost of family leave insurance for our state, which found that **the annual cost to cover sixteen weeks of leave for a worker making \$48,000 would be roughly \$58—a little over one dollar per week to pay for invaluable financial security.**

It's a stark reality when employees face the dire choice of caring for newborn or sick children, spouses, or parents or working to sustain their family's income. We must offer a smart, affordable solution that empowers workers to care for their families, while preserving their income.

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



SENATE BILL 360, SD2, RELATING TO FAMILY LEAVE

MARCH 16, 2023 · HOUSE LABOR AND
GOVERNMENT OPERATIONS COMMITTEE · CHAIR
REP. SCOT Z. MATAYOSHI

POSITION: Comments with amendments.

RATIONALE: The Democratic Party of Hawai'i Education Caucus **provides comments and suggested amendments for** SB 360, SD2, relating to family leave, which requires the Department of Labor and Industrial Relations, in consultation with the Insurance Commissioner, to develop a procedural manual to implement a family leave insurance program.

We do not need a procedural manual for family leave. Our state has already performed two studies, both of which have provided a roadmap and cost estimates for establishing a comprehensive family leave program for Hawai'i. Accordingly, we ask you to amend this measure by reverting it to its original form. Doing so would *finally* establish a family leave insurance program for Hawai'i's workers, with up to 16 weeks of paid time off to address family needs, including keiki and kupuna care.

Hawaii's workers need this benefit. In a 2017 public poll, 62 percent of Hawaii respondents reported that they had wanted to take leave in the past in order to care for a new child or family member. Currently, Hawaii employees do not have a right to paid family leave. The federal Family Medical Leave Act (which leaves out 40 percent of the state's workforce) provides for unpaid leave with up to 12 weeks for employers with 50 or more employees. The Hawai'i Family Leave Law (HFLL) applies

to employers with 100 or more employees and allows up to four weeks. This is also unpaid leave. Moreover, Hawai'i has the fastest growing aging population in the nation. Our senior (age 65+) population is expected to grow 81 percent by 2030. Approximately 247,000 Hawaii workers are caregivers for a family member.

This program would help Hawaii's businesses. Family leave insurance increases worker retention and loyalty. Workers who have access to family leave benefits are more likely to return to work after their leave is over. In a 10-year study of the California family leave insurance program, businesses reported that family leave had either a positive or a neutral effect on their business. Small businesses were less likely than large businesses to report any negative effects.

Providing paid time off for family caregiving strongly promotes gender equity. Women are often disproportionately impacted by the lack of paid leave, as they are the primary caregivers of infants, children, and aging parents. The lack of paid family leave exacerbates the gender wage gap for women and adversely impacts the economic stability of both male and female caregivers.

We know this can work in Hawai'i. Top experts on family leave have studied the usage, cost, and feasibility of implementing a family leave insurance program for the islands. These studies found that family leave insurance is a necessary and cost-effective way for workers to take adequate time off to care for their families without facing financial ruin or jeopardizing their careers.

We need a program that is affordable and revenue-neutral. The Institute for Women's Policy Research, which houses some of the nation's top experts on family leave, conducted an actuarial analysis using a simulation model to study the use and cost of family leave insurance for our state, which found that **the annual cost to cover sixteen weeks of leave for a worker making \$48,000 would be roughly \$58—a little over one dollar per week to pay for invaluable financial security.**

It's a stark reality when employees face the dire choice of caring for newborn or sick children, spouses, or parents or working to sustain their family's income. We must offer a smart, affordable solution that empowers workers to care for their families, while preserving their income.

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



JOSH FROST

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Thursday, March 16, 2023

Senate Bill 360 SD2 Relating to Family Leave
Testifying with Comments, asking for amendments

Aloha Chair Matayoshi, Vice Chair Garrett and members of the Committee on Labor & Government Operations,,

I am submitting testimony today providing comments for SB360 SD2 and asking for amendments.

In the past six years, the State has conducted two comprehensive studies on the efficacy and implementation of a paid family leave program for Hawaii. The first was completed in 2017 by the Commission on the Status of Women (HSCSW) with a grant from the U.S. Department of Labor (https://www.capitol.hawaii.gov/CommitteeFiles/senate/LBR/LBRfiles/DOL_Hawaii-State-Paid-Family-Leave-Analysis-Grant-Report.pdf).

The second (https://lrb.hawaii.gov/wp-content/uploads/2019_PaidFamilyLeaveProgramImpactStudy.pdf) was conducted by the Legislative Reference Bureau in response to ACT 109 (2018).

We don't need another study on a paid family leave program. Or in this case, a "procedural manual." Not only is there no definition of "procedural manual" in the bill, though it seems to refer to itself as a study.

The United States is the only developed country in the entire world that does not provide by law paid family leave to workers. The federal Family and Medical Leave Act (FMLA) only provides unpaid leave. For workers living paycheck to paycheck, this is not an option. When a loved one is sick, their only options are to leave them unattended, or lose income and risk missing utility bill payments, not buying food, or worse, risk becoming houseless.

This is unacceptable. A robust public paid family leave insurance program would provide workers up to 16 weeks of paid leave. And because a public insurance program would cover all workers in the state, it would cost just \$58 a year for each worker. When split with the employer, that amounts to just \$0.56 a week.

The COVID-19 pandemic showed us just how vulnerable our workers and families are to virulent disease. Not only would a public paid family leave program provide much needed assistance to Hawaii's "essential workers" who live paycheck to paycheck, it

could also prove useful in protecting customers and coworkers from catching and spreading contagious illnesses.

What's more, paid family leave insurance would be good for businesses. In a 10 year study of California's paid family leave program, businesses reported that family leave either had a positive or neutral effect on their businesses. And small businesses were less likely than large ones to report any negative effects. Programs like this increase worker retention and loyalty, reducing hiring and training costs for employers. Workers who have access to paid family leave are more likely to return to work when their leave is over.

Another study of paid family leave is unnecessary. The time to move forward on this important issue is now. As such, **I respectfully ask that the committee amend the bill by reverting its text to the original language.**

13 states and the District of Columbia have implemented paid family leave programs. It's time for Hawaii to join them.

Mahalo for the opportunity to testify.



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

March 16, 2023

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

Date: Thursday, March 16, 2023

Time: 9:30 a.m.

Place: Conference Room 309, State Capitol and Video Conference

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

Re: S.B. 360 SD2 RELATING TO FAMILY LEAVE

I. OVERVIEW OF PROPOSED LEGISLATION

The DLIR provides **comments** on this proposal. The measure may help move Hawaii forward in properly planning for the implementation of a family leave program. SB360 SD2 requires the Department, in consultation with the Insurance Commissioner, to develop a procedural manual through a study to implement a family leave insurance program that pays family leave insurance benefits with an unspecified appropriation and to submit a report to the Legislature prior to the 2025 session.

II. COMMENTS ON THE SENATE BILL

The DLIR supports the intent of the study and attendant procedural manual contained in Section 2 to move forward on Hawaii developing and implementing a Paid Family Leave Insurance program. The department does not have the capacity to conduct such activities on its own and therefore requests the insertion of language to clarify that it may contract out a portion of the responsibilities.

A contractor could assist the department in evaluating the financial and legal (including the non-duplication of benefits) issues, deriving actuarial information, and options regarding plan model & design, funding and administrative requirements, implementation timelines, facilitation, and other issues involved in such an undertaking. In addition, having the department working directly with a third-party contractor and involving the practitioners of labor laws would lead to more informed findings and recommendations back to the Legislature, especially in terms of administrative and staffing requirements of a program.

The capacity of the DLIR to undertake this effort will be affected by both the final language of this measure as well as the outcomes of provisions contained in measures currently moving through the legislative process. The department notes that it is already mandated to lead the development of the Hawaii Retirement Savings Program (Act 296, SLH 2022). Moreover, Chapter 398 Hawaii Family Leave Law, proposed for amendment under this measure, is administered by the Wage Standards Division. The Division currently has nineteen (19) FTEs to administer the six laws under its jurisdiction.



March 15, 2023

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

Re: S.B. 360, S.D. 2 RELATING TO FAMILY LEAVE

Hearing: Thursday, March 16, 2023, 9:30 a.m.

Dear Chair Matayoshi, Vice Chair Takuya Garrett, and Members of the Committee on Labor and Government Operations:

Hawaii Women Lawyers (“**HWL**”) is a lawyer’s trade organization that aims to improve the lives and careers of women in all aspects of the legal profession, influence the future of the legal profession, and enhance the status of women and promote equal opportunities for all.

HWL supports the intent of S.B. 360, S.D. 2, to require the Department of Labor and Industrial Relations to develop a procedural manual to implement a family leave insurance program in consultation with the Insurance Commissioner.

HWL supports efforts to expand paid family leave. The majority of Hawaii’s workforce cannot afford to take unpaid leave, and women, who are often the primary caregivers of infants, children, and elderly parents, are affected disproportionately by the absence of paid family leave. The development and advancement of women in the legal profession, as well as in other careers, is impeded by the lack of affordable caretaking options. The pandemic has only increased the caretaking responsibilities taken on by women, who are also trying to maintain their jobs and careers to provide for themselves and/or their families.

Thank you for the opportunity to submit testimony on this measure.



HAWAII WORKERS CENTER

LATE *Testimony submitted late may not be considered by the Committee for decision making purposes.

Defending and Respecting the workers of
Hawai'i

(508) 967-5377
hawaiiworkerscenter@gmail.com
hawaiiworkerscenter.org

March 15, 2023

Hawaii State House of Representatives
Committee on Labor and Government Operations
Rep. Scot Z. Matayoshi, Chair
Rep. Andrew Takuya Garrett, Vice Chair

Executive
Committee of the
Board

Rev. Sam Domingo
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Vice President

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Yoko Liriano

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Sound-Kikku

Ray Catania

Justin Jansen

Marites Uy

Leyton Torda

Robyn Conboy

Co-Executive
Directors

Tony Doroño

Sergio Alcubilla III,
Esq.

RE: Comments with suggested amendments for SB 360, SD2, Relating to Family Leave

Dear Chair Rep. Matayoshi, Vice-Chair Rep. a Garrett, and members of the Committee on Labor and Government Operations:

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 Hawaii's low-wage and immigrant workers.

The Hawaii Workers Center has strong reservations against this current draft of S.B. 360, SD2 and offers the following comments with suggested amendments:

As you know, Hawai'i has one of the fastest growing populations over the age of 65 in the nation. Within this decade, the percentage of people aged 65 and over is expected to increase to 22.5 percent of the state's population. And yet, one-third of workers who do not have access to family leave will need time off to care for an ill spouse or elderly parent. Now is the time to be proactive and address this coming surge. Instead, this current version of family leave tasks the Department of Labor and Industrial Relations with creating a procedural manual despite the numerous studies already commissioned by the Hawaii State Legislature on this issue. A procedural manual and study are often viewed simply as coded language for the death of a bill. Residents need paid family leave not another study.

Please revert this bill back to its original version. The United States is the only developed country that lacks a comprehensive paid family leave program. Thirteen states and the District of Columbia have passed paid family leave laws and the states with paid family leave have seen significant public health, social, and economic benefits.

S.B. 360 is a reflection of the importance of the value of family that many of us treasure here in Hawaii. Let's stand up for this value and join other nations around the world in putting the importance of family first.

Sincerely,

Sergio J. Alcubilla
Executive Director



**House Committee on Labor & Government Operations
Thursday, March 16, 2023, at 9:30 A.M.
Via Videoconference**

RE: SB 360, RELATING TO FAMILY LEAVE

Chair Matayoshi, Vice Chair Takuya Garrett, and Members of the Committee:

The Society of Human Resource Management (SHRM) Hawaii offers comments to SB360 SD1 Requires the Department of Labor and Industrial Relations, in consultation with the Insurance Commissioner, to develop a procedural manual to implement a family leave insurance program that pays family leave insurance benefits. Appropriates funds.

SHRM Hawaii serves and represents nearly 600 members and employers statewide. 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.

We appreciate the intent of this bill to develop a procedural manual for a family leave insurance program and welcome the opportunity to be a resource for the details of such a program in order to contribute our expertise to the implementation, design and operation of employee benefit programs.

There are numerous components to such an employee benefit program such as:

- Impact on the employer, both financially to fund such a program and operationally due to workforce shortage.
- Size of the employer, which will be required to offer such leave.
- Employee qualification for such a leave, i.e., hours worked, total time in the position, etc.
- Whether the leave will be based on a calendar year, a rolling twelve-(12)-month period looking forward or looking backward.
- The parameters for what increments the leave can be taken.
- The circumstances for which such a leave can be taken, e.g., baby-bonding, elder care, how



close a familial relationship is required, attendance at school activities, and

- The notice which must be provided to the employer, when, to whom and how (written, etc.)

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.

Rosanne Nolan
Legislative Affairs Committee Co-Chair

Dailyn Yanagida
Legislative Affairs Committee Co-Chair



SHRM Hawaii, P. O. Box 3175, Honolulu, Hawaii (808) 447-1840

SB-360-SD-2

Submitted on: 3/15/2023 10:51:11 AM

Testimony for LGO on 3/16/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Diane Arakaki	Individual	Support	Written Testimony Only

Comments:

I support this bill in its ORIGINAL VERSION

SB-360-SD-2

Submitted on: 3/15/2023 10:58:52 AM

Testimony for LGO on 3/16/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Erin Hagan	Individual	Support	Written Testimony Only

Comments:

I SUPPORT THE ORIGINAL INTENT OF THIS BILL.

The new version - requiring the Department of Labor and Industrial Relations to create a "procedural manual" for paid family leave - delays the potential impact for families who are most in need of paid leave benefits. While determining the logistics of implementation is necessary, it need not take over a year to do so, and the planning and implementation process need not be set forth in separate legislation. Hawai'i should join the other states that have paid family leave programs and move to establish this important policy here.



**Parents And
Children Together**

**BUILDING THE RELATIONSHIPS
THAT MATTER MOST**

ParentsAndChildrenTogether.org

TESTIMONY PROVIDING COMMENTS ON SB 360 SD2

TO: Chair Matayoshi, Vice-Chair Garrett, & Members,
House Committee on Labor and Government Operations
FROM: Ryan Kusumoto, President & CEO
DATE: March 16, 2023 at 9:30 AM

Parents and Children Together (PACT) offers comments on SB 360 SD2 Relating to Family Leave, which does not establish a paid family leave program but tasks the department of labor and industrial relations with developing a procedural manual for a family leave insurance program that pays family leave insurance benefits and submits a report to the legislature prior to the regular session of 2025 in addition to appropriating funds. **Please change the bill back to it's original version** so that our working families can benefit from the program.

In the past six years, two analyses of establishing a paid family leave program in Hawai'i have been conducted and presented to the Hawai'i State Legislature. These reports include an economic analysis, Hawai'i-based eligibility modeling and cost breakdowns, a feasibility study, opinion polling and focus groups, options for compliance, and enforcement protocols. The current form of the bill (SD2) further delays implementation of a paid family leave program when the need for it has already been established.

Founded in 1968, PACT is a statewide community-based organization providing a wide array of innovative and educational social services to families in need. Assisting more than 15,000 people across the state annually, we help identify, address, and successfully resolve challenges through our 20 programs. Among our services are early education programs, domestic violence prevention and intervention programs, child abuse prevention and intervention programs, childhood sexual abuse supportive group services, child and adolescent behavioral health programs, sex trafficking intervention, poverty prevention and community building programs.

Thank you for the opportunity to testify. Please contact me at (808) 847-3285 or rkusumoto@pacthawaii.org if you have any questions.

SB-360-SD-2

Submitted on: 3/15/2023 2:33:52 PM

Testimony for LGO on 3/16/2023 9:30:00 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-360-SD-2

Submitted on: 3/15/2023 5:10:23 PM

Testimony for LGO on 3/16/2023 9:30:00 AM

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

Comments:

TO: Representative Matayoshi and Members of the Committee on Labor and Government

FROM: Patricia Bilyk, RN, MPH, MSN

RE: Paid Family Leave

DATE: Thursday March 16 , 2023 9:30am

Good Morning!

I am Patricia Bilyk a Maternal Child Advance Practice Registered Nurse. I've practiced in Hawaii for 51 years and worked with many Families needing to take family Leave for personal or caretaking of a family Member.

Unfortunately they could not because they would have no money for food or rent!

The need is great in great in our State and this need had been studied, analyzed and talked about for more them 8 years!

it is time for ACTION Representatives not further studies and procedural manuals! Hawaii's Families and Employers cannot wait!

Be Pono and do the right thing by reverting back this draft to the Original Bill language and getting down to the valuable work of helping our Families!

Thank you for the opportunity to provide my testimony!

SB-360-SD-2

Submitted on: 3/15/2023 7:21:35 PM

Testimony for LGO on 3/16/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Sharde Freitas	Individual	Support	Written Testimony Only

Comments:

Support

SB-360-SD-2

Submitted on: 3/16/2023 7:49:47 AM

Testimony for LGO on 3/16/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Hunter Heavilin	Individual	Support	Written Testimony Only

Comments:

The ability to take time off work to care for a new child, sick family member, or one's own health is crucial for families to thrive. Unfortunately, many workers in Hawaii do not have access to paid family leave, which can result in financial hardship and health consequences. SB360 aims to address this issue by requiring the Department of Labor and Industrial Relations (DLIR) to conduct a study and submit a report to the Legislature on the development of a family leave insurance program. A program could provide family leave insurance benefits to workers, allowing them to take time off to care for themselves or their family members without suffering undue financial strain. The study funded by this bill would examine the feasibility, costs, and potential benefits of such a program. Providing access to paid family leave not only supports the well-being of workers and their families but also promotes a healthy and productive workforce. This bill is an important step towards ensuring that all workers in Hawaii have the support they need to care for themselves and their loved ones.

Aloha nui Legislators,

I strongly support the original intent of SB360, to require the Department of Labor & Industrial Relations to establish a much-needed Paid Family Leave Program. I am a young mother & attorney, and even with sympathetic employers – I had to work overtime while pregnant during the pandemic to take just two months off with pay when my daughter was born in 2021. I ended up being so overworked & overwhelmed from having to return to work after just two months, that after four months of being back, I was forced to quit my job entirely to better care for myself & newborn. I was literally on the brink of despair & I don't even want to imagine what could have happened if I wasn't able to take a break from work. I know that am in the *extreme minority* of privileged new moms who are afforded the luxury of being able to take time off from working – mainly by relying on my husband & family to cover costs of living.

Unfortunately, the SD1 version of this bill reverted the original intent of SB360 into yet *another study* about the great need & benefits of paid family leave. The red-tape precautions here are so unnecessary & shortsighted. I do acknowledge & appreciate the slight change in the SD2 version updating the study into a “procedural manual” with a report back to the Legislature prior to the 2025 session - but again, **we don't need any more “reports” or red-tape in getting this program off the ground – the need for reliable paid family leave & better maternal healthcare overall is DIRE & affects the lives of ALL people in our community** – you, me, your spouses, your kids, your grandkids, your parents, grandparents, cousins, friends, neighbors, and Future generations!

The National Center for Health Statistics just released a report today showing that 1,205 pregnant women in the United States died in 2021 – a 40% increase in maternal deaths compared to 2020, and a 60% increase since 2019. The pressures of increasing costs, climate change, and COVID only compound this problem that just gets worse by the hour.

The United States is the ONLY developed country without national paid family leave – let's take this opportunity to be a leader in this area compared to the other states, and show the world that our government officials in Hawai'i *actually really care about local families*. **The time is now to establish & fund this program – not keep kicking the can down the road.**

Please revert this bill back to its original version to make real change in the lives of Everyone.

Please use your positions of power for those that most need it – our mothers & keiki.

Mahalo nui for your time & aloha,



Olan Leimomi Fisher, Pūpūkea, O'ahu