STAND. COM. REP. NO. 1400

Honolulu, Hawaii

March 23, 2007

RE: S.B. No. 1833 S.D. 1

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Fourth State Legislature Regular Session of 2007 State of Hawaii

Sir:

Your Committee on Labor & Public Employment, to which was referred S.B. No. 1833, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO FAMILY LEAVE,"

begs leave to report as follows:

The purpose of this bill is to modify the provisions of the Hawaii Family Leave Act by providing the employee - not the employer - with the option of substituting accrued paid leave, such as vacation, personal, or paid family leave, for any part of the four-week period allowed for family leave. Currently, family leave may consist of paid leave, unpaid leave, or a combination of paid and unpaid leave.

The Hawaii State Teachers Association, International Association of Machinists and AeroSpace Workers, Hawaii Government Employees Association, Hawaii Family Forum, Roman Catholic Church in the State of Hawaii, National Association of Government Employees, Hawaii State AFL-CIO, Office of Hawaiian Affairs, Association of Flight Attendants, and a concerned individual testified in support of this bill. The Department of Labor and Industrial Relations, Retail Merchants of Hawaii, National Federation of Independent Business, and The Chamber of Commerce of Hawaii opposed this measure.

A growing number of employees are taking family leave to care for elderly family members and loved ones. Such care often necessitates the substitution of other types of leave, including vacation leave, when the amount of allowed family leave is depleted. Your Committee believes that the manner in which family leave is taken should be a decision that is left to the employee and that an employer should not force an employee to exhaust the employee's accrued vacation leave to care for a family member.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1833, S.D. 1, and recommends that it pass Second Reading and be referred to the Committee on Finance.

Respectfully submitted on behalf of the members of the Committee on Labor & Public Employment,

ALEX M. SONSON, Chair

HSCR 1400

State of Hawaii House of Representatives The Twenty-fourth Legislature

Record of Votes of the Committee on Labor & Public Employment

Bill/Resolution No.: SB 1833 SD1	Date:	3-20-0	7		
Committee Referral: LAB,FIN		☐ The committee is reconsidering its previous decision on the measure.			
The recommendation is to: Pass, unamended	☐ Pass, with amendments				
☐ Hold	Pass, with amendments, for recommittal for further consideration				
LAB Members	Ayes	Ayes (WR)	Nays	Excused	
1. SONSON, Alex M. (C)	//				
2. NAKASONE, Bob (VC)					
3. EVANS, Cindy					
4. HAR, Sharon E.					
5. LEE, Marilyn B.	/				
6. LUKE, Sylvia					
7. McKELVEY, Angus L.K.	1				
8. NISHIMOTO, Scott Y.	/				
9. SOUKI, Joseph M.					
10. TAKAMINE, Dwight Y.					
11. TAKUMI, Roy M.	レ				
12. MEYER, Colleen Rose		~			
13. PINE, Kymberly Marcos					
TOTAL	11	(1		
The recommendation is: Adopted If joint referral, did not support recommendation. committee acronym(s) Vice Chair's or designee's signature:					
Distribution: Original (White) – Committee Duplicate (Yellow) – Clerk's Office					