

Family Leave Working Group
Tuesday, November 6, 2008, 1:00 PM
Room 224, State Capitol

MINUTES

- I. Welcome and Introductions by Chair Wes Lum.
- II. The October 17, 2008 Minutes were seconded and approved as circulated.
- III. Attendance:

Members Present:

Wes Lum	Hawaii Family Caregiver Coalition
Adele Ching	Department of Health
Christine-Ann Akau	Department of Human Services
Jmes Hardway	Department of Labor and Industrial Relations
Jacob Herlitz	Department of Taxation
Joy Kuwabara	HGEA
Glenn Ida	Hawaii Teamsters and Allied Workers, Local 996
Harold Dias, Jr.	IBEW, Local 1357
Eunice Schick	Policy Advisory Board for Elder Affairs
Shawn Cabrey	Society for Human Resource Management
Sherry Menor	Chamber of Commerce
Eudice Schick	PABEA

Members Absent:

Jim Shon	Kokua Council
Aileen Befitel	Department of Human Services
Joanne Kealoha	ILWU, Local 142
Melissa Pavlicek	National Federation of Independent Business
Benjamin Ventura	The COC of Hawaii/Wal-Mart Stores, Inc.
Gerard Russo	UH, Department of Economics

Guests:

Gordon Sasaki	American Pacific Insurance Company TDI Department
Ann	Representative Marilyn Lee's Office
Noraine Ichikawa	Department of Labor and Industrial Relations
Andrei Soto	Department of Labor and Industrial Relations
Ellen Kai	Department of Labor and Industrial Relations
Caroleen Tabata	Department of Labor and Industrial Relations

- IV. Presentation on the adequacy of current long-term care system.

V. James Hardway (DLIR) presented information in the current California system for leave.

- California's Employee Development Department checks for fraud
- If used in Hawaii, a new division/department would have to be created for fraud
- In the DLIR structure, it would be an administrative hardship to have the unemployment division separate their time (federal funds) while working on this (state funds)
- Hawaii's UI fund uses approximately \$13 million to operate; In New Jersey and California, all employees pay a percentage into the fund.
- The size and make-up of the population would dictate the size of aging, to be paid by State General Funds, taxes, employee/employer percentage (or both).
- The DLIR has a process in place with existing facilities for UI, but a form would need to be developed for the type of claim (i.e. pregnancy, sickness, etc.)
- California's law for this is on the books, however is not funded yet
- An issue would be controlling the risk for insurance – could possibly increase every year
- New Jersey's system is self-funded, by the State or insurance or a combination
- A possibility in Hawaii could be a separate office, in addition to TDI and Prepaid Health Care, which are state-funded.
- Currently employers pay for TDI; in California and New Jersey, the employers are okay with paying for the employee, but not necessarily their family member(s)
- The committee decided that the insurance business would need to share their comments
- An informal poll was taken at the request of the Chair and Representative Lee to answer the following question: "Does your organization believe that persons who need to take time off of work to provide care to a family member (elder care/family leave) are entitled to wage replacement benefits?" (Without considering who pays for it.) SHRM responded yes, but not in the form presented last year, as a mandate of TDI insurance; the Office Aging said that separate from the Department, they agree that these persons are entitled to wage replacement benefits; All other groups in attendance responded "yes" with the exception of the Chamber of Commerce, DLIR, DoTax, and DHS. It was stated that this determination should be made at perhaps a higher level.
- It was suggested to draft a template with the current TDI/Family leave law; people are suffering because of caregiving duties
- Representative Marilyn Lee stated to have all drafts forwarded to her office and they would assist in drafting something

VIII. Next meeting is scheduled for Tuesday, December 2, 2008 at 1:00 p.m. in Room 224