STAND. COM. REP. NO. **82** -10

Honolulu, Hawaii **Fe 53**, 2010 RE: H.B. No. 2636

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Fifth State Legislature Regular Session of 2010 State of Hawaii

Sir:

Your Committee on Labor & Public Employment, to which was referred H.B. No. 2636 entitled:

"A BILL FOR AN ACT RELATING TO DISLOCATED WORKERS,"

begs leave to report as follows:

The purpose of this bill is to authorize the Department of Labor and Industrial Relations to exercise enforcement powers against an employer in a covered establishment to require the employer to adhere to and comply with the notification and penalty provisions of section 394B-9, Hawaii Revised Statutes.

The ILWU Local 142 testified in support of this bill.

Your Committee notes that the 2007 Legislature amended the Dislocated Workers Act to include penalties against an employer for failure to provide notice in the event of a closure, divestiture, partial closing, or relocation of a business. However, to enforce penalties, an aggrieved worker must file a claim in court, subjecting the worker to expense and delays that ultimately serve as a deterrent to seeking the penalties.

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 H.B. No. 2636 and recommends that it pass Second Reading and be referred to the Committee on Judiciary.



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

Parl Nha

KARL RHOADS, Chair



State of Hawaii House of Representatives The Twenty-fifth Legislature

HSCR BZ-10

Record of Votes of the Committee on Labor & Public Employment

Bill/Resolution No.:	Committee Referral:			Date:	
HB 2636	LAB, JUD, FIN 2/2/10				
The committee is reconsidering its previous decision on the measure.					
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold					
 Pass short form bill with HD to recommit for future public hearing (recommit) 					
					[
LAB Members		Ayes	Ayes (WR)	Nays	Excused
1. RHOADS, Karl (C)		/			
2. YAMASHITA, Kyle T. (VC)					
3. AQUINO, Henry J.C.		/			
4. AWANA, Karen Leinani		-			
	a second or				
5. HANOHANO, Faye P.					
6. KEITH-AGARAN, Gilbert S.C.					
7 LEE Marilue D					
7. LEE, Marilyn B.					
8. NAKASHIMA, Mark M.					
o. NAKASIIIWA, Walk M.		-			
9. SAIKI, Scott K.					
10. SOUKI, Joseph M.		/			
11. TAKUMI, Roy M.		/			
12. PINE, Kymberly Marcos					-
TOTAL (12)		1/			1
The recommendation is: Image: Adopted lif joint referral, did not support recommendation.					
eopmittee acronym(s)					
Vice Chair's or designee's signature:					
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