Honolulu, Hawaii

March 1 , 21

RE: H.B. No. 634 H.D. 1

Honorable Joseph M. Souki Speaker, House of Representatives Twenty-Seventh State Legislature Regular Session of 2013 State of Hawaii

Sir:

Your Committee on Finance, to which was referred H.B. No. 634 entitled:

"A BILL FOR AN ACT RELATING TO EMPLOYMENT,"

begs leave to report as follows:

The purpose of this measure is to protect employment levels in the State by requiring, where a divestiture of an establishment employing 100 or more employees occurs, the successor employer to:

- (1) Hire all incumbent non-supervisory and non-confidential employees, with specified exceptions; and
- (2) Not require employment applications from incumbent employees unless existing employee files are incomplete.

This measure also allows successor employers to conduct pre-hire screenings of incumbent employees that are not prohibited by law.

The International Longshore and Warehouse Union Local 142, Hawaii State AFL-CIO, and two concerned individuals supported this bill. The Hawaii Restaurant Association; Retail Merchants of Hawaii; Hawaii Credit Union League; Outrigger Hotels Hawaii; The Chamber of Commerce of Hawaii; Maui Chamber of Commerce; Envisions Entertainment & Productions, Inc.; Tesoro Hawaii, LLC; and two individuals opposed this measure. The Department of Labor and Industrial Relations provided comments.



Your Committee has amended this measure by changing its effective date to July 1, 2030, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 634, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 634, H.D. 1.

Respectfully submitted on behalf of the members of the Committee on Finance,

SYLVIA LUKE, Chair



State of Hawaii House of Representatives The Twenty-seventh Legislature

Record of Votes of the Committee on Finance

Bill/Resolution No.:	Committee Referral:	Date:		
HB634	LAB, FIN	02/25/13		
☐ 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)				
FIN Members	Ayes	Ayes (WR)	Nays	Excused
1. LUKE, Sylvia (C)				
2. NISHIMOTO, Scott Y. (VC)				
3. JOHANSON, Aaron Ling (VC)				
4. CULLEN, Ty J.K.				
5. HASHEM, Mark J.				
6. ING, Kaniela				
7. JORDAN, Jo				
8. KOBAYASHI, Bertrand				
9. LOWEN, Nicole E.				
10. MORIKAWA, Dee				
11. ONISHI, Richard H.K.				
12. TAKAYAMA, Gregg				
13. TOKIOKA, James Kunane				
14. WOODSON, Justin H.				
15. YAMASHITA, Kyle T.				
16. FUKUMOTO, Beth				
17. WARD, Gene				
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TOTAL (17)	14	3		
The recommendation is: Adopted Not Adopted If joint referral, did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) - Committee Duplicate (Yellow) - Chief Clerk's Office Duplicate (Pink) - HMSO				