



**STATE OF HAWAII
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS**

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February 25, 2013

To: The Honorable Sylvia Luke, Chair,
The Honorable Scott Y. Nishimoto, Vice Chair,
The Honorable Aaron Ling Johanson, Vice Chair, and
Members of the House Committee on Finance

Date: Monday, February 25, 2013
Time: 3:30 p.m.
Place: Conference Room 308, State Capitol

From: Dwight Y. Takamine, Director
Department of Labor and Industrial Relations (DLIR)

Re: H.B. No. 169 HD1 Relating to Family Leave

I. OVERVIEW OF PROPOSED LEGISLATION

HB169 HD1 amends the Family Leave Law, Chapter 398, Hawaii Revised Statutes (HRS) by amending the family leave requirement to permit an employee to utilize family leave time for certain activities when a family member is on active duty.

The department strongly supports HB169 HD1.

II. CURRENT LAW

Employees are entitled to a total of four weeks of family leave during any calendar year upon the birth of a child of the employee, the adoption of a child, or to care for the employee's child, spouse or reciprocal beneficiary, or parent with a serious health condition. The care of employees whose family member is in the military is not specifically covered.

III. COMMENTS ON THE HOUSE BILL

Hawaii has a rich tradition of cooperation and support of our service members. To extend the ability to take family leave to take care of activities necessitated by a family member who is proudly serving in the defense of one's country is commendable.

Eligible employees to take the leave under this measure are likely to be those not already covered under the FMLA Military Family Leave Entitlements. These are

likely to be employees of companies with 100 or more employees who have worked only 6 months for the company, or are reciprocal beneficiaries or grandparents-in-law of eligible service members.

This measure will also allow all eligible employees of more 100 or more employees to take up to ten sick days for this type of leave where in the federal environment the employer can determine if sick leave will be used.