A BILL FOR AN ACT

RELATING TO EMPLOYMENT PRACTICES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1	SECT	ION 1. Section 378-32, Hawaii Revised Statutes, is
2	amended b	y amending subsection (b) to read as follows:
3	"(b)	It shall be unlawful for an employer or a labor
4	organizat	ion to bar or discharge from employment, withhold pay
5	from, or	demote an employee because the employee uses accrued
6	and avail	able sick leave; provided that:
7	(1)	After an employee uses three or more consecutive days,
8		of sick leave, an employer or labor organization may
9		require the employee to provide written verification
10		from a physician indicating that the employee was ill
11		when the sick leave was used;
12	(2)	This subsection shall apply only to employers who[+
13		(A) Have a collective bargaining agreement with their
14		employees; and
15		(B) Employ employ one hundred or more employees; and
16	(3)	Nothing in this subsection shall be construed to
17		supersede any provision of any collective bargaining

1	agreement or employment benefits program or plan that
2	provides greater employee benefits or rights."
3	SECTION 2. Statutory material to be repealed is bracketed
4	and stricken. New statutory material is underscored.
5	SECTION 3. This Act shall take effect upon its approval.
6	INTRODUCED BY: Will Gyw

S.B. NO. 2939

Report Title:

Employee Benefits; Employment Practices; Sick Leave

Description:

Repeals the condition that employers have a collective bargaining agreement with their employees in order for section 378-32(b), HRS, to apply.

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