STAND. COM. REP. NO. 698

Honolulu, Hawaii
February 15, 2019

RE: H.B. No. 1536 H.D. 1

Honorable Scott K. Saiki Speaker, House of Representatives Thirtieth State Legislature Regular Session of 2019 State of Hawaii

Sir:

Your Committee on Labor & Public Employment, to which was referred H.B. No. 1536 entitled:

"A BILL FOR AN ACT RELATING TO EQUAL PAY,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Amend the prohibition against employers retaliating or discriminating against employees discussing other employees' wages; and
- (2) Prohibit persons from disclosing an employee's wages other than by the employee.

The Chamber of Commerce Hawaii testified in support of this measure. The Hawaii Civil Rights Commission, Hawaii Appleseed Center for Law & Economic Justice, American Association of University Women of Hawaii, and an individual opposed this measure. The City and County of Honolulu Department of Human Resources provided comments on this measure.

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Your Committee has amended this measure by:

- (1) Restoring language that prohibits employers from retaliating or discriminating against employees who discuss the wages of other employees;
- (2) Excluding from prohibition, the discussion of employee wages if knowledge of the wages stem from human resources, payroll, or legal professional responsibilities in the workplace; and
- (3) Changing its effective date to January 1, 2050, to facilitate further discussion.

It is your Committee's intent that this measure promotes a healthy work environment for employees and employers, as well as preserve individuals' prerogative to engage in the discussion of their and other employees' wages, except as prohibited by law.

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. 1536, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1536, H.D. 1, and be referred to your Committee on Judiciary.

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

AARON LING TOHANSON Chair

State of Hawaii House of Representatives The THIRTIETH Legislature



Record of Votes of the Committee on Labor & Public Employment

Bill/Resolution No.: HB 1534	Committee Referral:	JUD	te: 2/7/19	
☐ 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. JOHANSON, Aaron Ling (C)	_			
2. ELI, Stacelynn K.M. (VC)				
3. ICHIYAMA, Linda				
				HE WASHINGTON
4. KITAGAWA, Lisa				
经验证的证明的证明,对于自由性性				ATSIA SERVICE
5. McKELVEY, Angus L.K.				
6. QUINLAN, Sean				/
7. YAMASHITA, Kyle T.			A.r.	
8. MATSUMOTO, Lauren				-
			-	
	<u> </u>			
22 - NO				
TOTAL (8)	7			
The recommendation is: Adopted If joint referral, did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: Halynf Mar-				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				