STAND. COM. REP. NO.



Honolulu, Hawaii

, 2020

FEB 14

RE: H.B. No. 1701

H.D. 1

Honorable Scott K. Saiki Speaker, House of Representatives Thirtieth State Legislature Regular Session of 2020 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1701, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure is to promote pay equity by:

- Conforming statutory prohibitions against wage discrimination with other prohibitions on employment discrimination;
- (2) Clarifying the factors that can be used by employers to justify differences in compensation based on seniority, merit, or other nondiscriminatory factors;
- (3) Requiring employers to disclose wage ranges to employees and prospective employees; and
- (4) Updating the term "equal work", as used in state nondiscrimination statutes, to "substantially similar work".

Your Committee received testimony in support of this measure from the Hawaii State Commission on the Status of Women, Hawaii Civil Rights Commission, AAUW of Hawaii, Hawaii Women's Coalition, Hawaii Advocates for Consumer Rights, LGBT Caucus of the Democratic Party of Hawaii, Common Cause Hawaii, Pono Hawaii Initiative, Hawaii Appleseed Center for Law and Economic Justice, Planned Parenthood Votes Northwest and Hawaii, Queen's Health Systems, Zonta Club of Hilo, and ten individuals. Your Committee received testimony in opposition to this measure from the Hawaii Credit Union League. Your Committee received comments on this measure from the Hawaii Food Industry Association, Hawaii Pacific Health, and Chamber of Commerce Hawaii.

Your Committee finds that persisting inequality in pay between genders has dire and long-lasting economic effects on women, who make up almost half of America's workforce, as well as on children and most households. This measure builds on the pay equity provisions of Act 108, Session Laws of Hawaii 2018, by prohibiting discrimination in compensation based on race; sex, including gender identity or expression; sexual orientation; age; religion; color; ancestry; disability; marital status; arrest and court record; or domestic or sexual violence victim status for substantially similar work.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1701, H.D. 1, and recommends that it be referred to your Committee on Finance.

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

CHRIS LEE, Chair

## State of Hawaii House of Representatives The THIRTIETH Legislature

## HSCR 560-20

## **Record of Votes of the Committee on Judiciary**

Bill/Resolution No.:	Committee Referral:	Datey		
HB 1701 HDI	LAB, JUD, FIN	1 2/	1/2020	
☐ 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)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. LEE, Chris (C)				
2. SAN BUENAVENTURA, Joy A.	. (VC)			
3. BROWER, Tom				
CPE CAN DI LE				
4. CREAGAN, Richard P.				
5. LOWEN, Nicole E.				
3. LOWEN, NICOLE E.				
6. McKELVEY, Angus L.K.				
7. NAKASHIMA, Mark M.				at the second
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8. PERRUSO, Amy A.				
9. SAY, Calvin K.Y.				
10. TAKAYAMA, Gregg	7.41			Am an again ag
11 WAMANE Prop I			<i>3 </i>	
11. YAMANE, Ryan I.				
12. THIELEN, Cynthia				
12. Tillbert, Symmu				
TOTAL (12)				
The recommendation is:    Mot Adopted   Not Adopted				
Vice Chair's or designee's signature:				
Distribution: Original (White) - Committee Duplicate (Yellow) Chief Clerk's Office Duplicate (Pink) - HMSO				