STAND. COM. REP. NO.

1552

Honolulu, Hawaii

, 2019

MAR 2 1

RE: S.B. No. 1041

S.D. 2

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 S.B. No. 1041, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES,"

begs leave to report as follows:

The purpose of this measure is to prohibit employers from:

- (1) Requiring employees to enter into nondisclosure agreements as a condition of employment or preventing the employee from disclosing sexual harassment or sexual assault that occurs in the workplace, at work-related events, between employees, or between an employer and an employee; and
- (2) Retaliating against employees for disclosing or discussing sexual harassment or sexual assault.

The Hawai'i State Commission on the Status of Women, Screen Actors Guild-American Federation of Television and Radio Artists, Pride at Work Hawaii, Aloha State Association of the Deaf, Hawaii Women's Coalition, Planned Parenthood Votes Northwest and Hawaii, and a few individuals testified in support of this measure. The Department of Human Services, Hawai'i Civil Rights Commission, and Hawai'i Women Lawyers provided comments on this measure.

Your Committee has amended this measure by:

- (1) Changing its effective date to January 1, 2050, to facilitate further discussion on this measure; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

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 S.B. No. 1041, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1041, S.D. 2, 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 JOHANSON, Chair

State of Hawaii House of Representatives The THIRTIETH Legislature ### 1552

Record of Votes of the Committee on Labor & Public Employment

Bill/Resolution No.:	Committee Referral:	Date:	21.1	1,0
SB 1041, SD 2	LAB, JUD		3/19/19	
☐ 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				
Harrist Committee of the Committee of th				
4. KITAGAWA, Lisa				
5. McKELVEY, Angus L.K.			N	~
6. QUINLAN, Sean				
7 VAMASHITA Kulo T				
7. YAMASHITA, Kyle T.				
8. MATSUMOTO, Lauren				
or marisement, bauten				
				-
TOTAL (8)	6			2
The recommendation is: Adopted				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				