

Honolulu, Hawaii

MAR 03 , 2022

RE: H.B. No. 2495
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 2495, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure is to prohibit an employer from entering into or requiring an employee to enter into a nondisclosure agreement that prevents the employee from disclosing or discussing sexual harassment or sexual assault occurring in the workplace, at work-related events, between employees, or between an employer and an employee.

Your Committee received testimony in support of this measure from the Department of Human Services, Hawai'i Civil Rights Commission, Hawai'i State Commission on the Status of Women, American Association of University Women of Hawaii, Hawaii State Democratic Women's Caucus, Hawai'i Women Lawyers, and two individuals.

Your Committee finds that maintaining and fostering a safe work environment that is respectful and free from workplace harassment, intimidation, and assault are important to ensuring the safety and dignity of all employees. Prohibiting employers from using nondisclosure agreements to suppress disclosure of sexual harassment or sexual assault occurring in the work



environment provides enhanced protections and supports a safe and positive work environment for all individuals.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2495, H.D. 1, and recommends that it pass Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary &
Hawaiian Affairs,



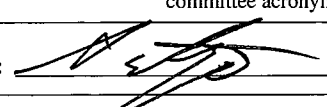
MARK M. NAKASHIMA, Chair



State of Hawaii
House of Representatives
The Thirty-first Legislature

HSCR 681-22

Record of Votes of the Committee on Judiciary & Hawaiian Affairs

Bill/Resolution No.: HB 2495, HD1	Committee Referral: LAT, JHA	Date: 2-23-22		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: SM <input checked="" type="checkbox"/> Pass, unamended (as is) SM <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
JHA Members	Ayes	Ayes (WR)	Nays	Excused
1. NAKASHIMA, Mark M. (C)	✓			
2. MATAYOSHI, Scot Z. (VC)	✓			
3. ICHIYAMA, Linda	✓			
4. KOBAYASHI, Dale T.	✓			
5. LoPRESTI, Matthew S.	✓			
6. LOWEN, Nicole E.	✓			
7. McKELVEY, Angus L.K.	✓			
8. NAKAMURA, Nadine K.	✓			
9. TAKUMI, Roy M.	✓			
10. TOKIOKA, James Kunane	✓			
11. WARD, Gene	✓			
TOTAL (11)	11	0	0	0
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: 				
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