

Honolulu, Hawaii

APR 27 2023

RE: S.B. No. 1057  
S.D. 2  
H.D. 2  
C.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Second State Legislature  
Regular Session of 2023  
State of Hawaii

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-Second State Legislature  
Regular Session of 2023  
State of Hawaii

Sirs:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 1057, S.D. 2, H.D. 2, entitled:

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

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to:

- (1) Require certain job listings to disclose the hourly rate or salary range that reasonably reflects the actual expected compensation; and
- (2) Prohibit an employer from discriminating between employees because of any protected category established under state law by paying wages to employees in an establishment at a rate less than the rate at which the employer pays wages to other employees in the establishment for substantially similar work.



Your Committee on Conference finds that many employment listings are not transparent about the pay or salary to be offered to the prospective employee. Secrecy around compensation perpetuates the continued discrimination against all workers, and especially for women and people of color. Although requiring employers to disclose the hourly rate or salary range in a job listing would help reduce pay inequalities between employees in protected categories who perform substantially similar work as other employees, your Committee on Conference notes concerns that requiring pay rates in job listings may put smaller and local employers at a significant recruiting disadvantage.

Accordingly, your Committee on Conference has amended this measure by:

- (1) Clarifying that the requirement to disclose the hourly rate or salary range that reasonably reflects the actual expected compensation does not apply to job listings for positions with employers having fewer than fifty employees; and
- (2) Making it effective on January 1, 2024.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 1057, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 1057, S.D. 2, H.D. 2, C.D. 1.



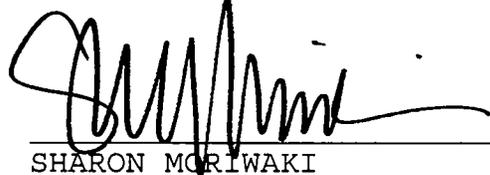
Respectfully submitted on behalf  
of the managers:

ON THE PART OF THE HOUSE

ON THE PART OF THE SENATE



DANIEL HOLT  
Co-Chair



SHARON MORIWAKI  
Chair



SCOT Z. MATAYOSHI  
Co-Chair



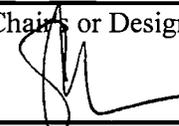
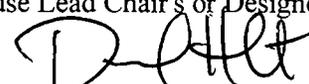
JARRETT KEOHOKALOLE  
Co-Chair



DAVID A. TARNAS  
Co-Chair



**Record of Votes of a  
Conference Committee**

Bill / Concurrent Resolution No.: <b>SB 1057, SD 2, HD 2</b>					Date/Time: <b>4/27/23 5:15 pm</b>				
<input checked="" type="checkbox"/> The recommendation of the House and Senate managers is to pass with amendments (CD).									
<input type="checkbox"/> The Committee is reconsidering its previous decision.									
<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure					<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.				
Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
MORIWAKI, Sharon Y., Chr.	X				HOLT, Daniel, Co-Chr.	X			
KEOHOKALOPE, Jarrett, Co-Chr.	X				MATAYOSHI, Scot Z., Co-Chr.	X			
FEVELLA, Kurt	X				TARNAS, David A., Co-Chr.	X			
					LAMOSAO, Rachele F.	X			
					ALCOS III, David	X			
<b>TOTAL</b>	<b>3</b>				<b>TOTAL</b>	<b>5</b>			
A = Aye		WR = Aye with Reservations			N = Nay		E = Excused		
Senate Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted					House Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Senate Lead Chair's or Designee's Signature: 					House Lead Chair's or Designee's Signature: 				
<b>Distribution:</b> <span style="margin-left: 100px;"><b>Original</b> <i>File with Conference Committee Report</i></span> <span style="margin-left: 100px;"><b>Yellow</b> <i>House Clerk's Office</i></span> <span style="margin-left: 100px;"><b>Pink</b> <i>Senate Clerk's Office</i></span> <span style="margin-left: 100px;"><b>Goldenrod</b> <i>Drafting Agency</i></span>									