

Honolulu, Hawaii

FEB 17 2023

RE: S.B. No. 342
S.D. 1

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

Sir:

Your Committee on Labor and Technology, to which was referred S.B. No. 342 entitled:

"A BILL FOR AN ACT RELATING TO PAID SICK LEAVE,"

begs leave to report as follows:

The purpose and intent of this measure is to require employers to provide:

- (1) A minimum amount of paid sick leave to employees to be used to care for themselves or a family member who is ill or needs medical care; and
- (2) Supplemental paid sick leave to employees under certain public health emergency conditions.

Your Committee received testimony in support of this measure from Rainbow Family 808; UNITE HERE Local 5; Hawai'i State AFL-CIO; State of Hawaii Organization of Police Officers; Stonewall Caucus of the Democratic Party of Hawai'i; Labor Caucus of the Democratic Party of Hawai'i; Education Caucus of the Democratic Party of Hawai'i; Pride at Work - Hawai'i Chapter; Hawai'i Nurses' Association Office and Professional Employees International Union Local 50; Hawai'i Alliance for Progressive Action; Americans for Democratic Action Hawai'i; Hawaii State Coalition Against Domestic Violence; Hawai'i Children's Action Network Speaks!; International Alliance of Theatrical Stage Employees Local 665; Pono Hawaii



Initiative; Hawaii Appleseed Center for Law and Economic Justice; Hawai'i Workers Center; Imua Alliance; Hawaii State Teachers Association; Hawai'i Public Health Institute; Hawaii Teamsters and Allied Workers, Local 996; and sixty-two individuals. Your Committee received testimony in opposition to this measure from the Department of Labor and Industrial Relations, Department of Public Safety, Retail Merchants of Hawaii, and Hawaii Food Manufacturers Association. Your Committee received comments on this measure from the Department of Human Services of the City and County of Honolulu, Hawai'i Restaurant Association, Hawaii Energy Marketers Association, and Hawaii Credit Union League.

Your Committee finds that although Hawaii's Family Leave Law provides four weeks of protected leave for employees of employers with one hundred or more employees for the birth or adoption of the employee's child or care of the employee's child, spouse, reciprocal beneficiary, sibling, grandchild, or parent with a serious health condition, this leave is generally unpaid. Your Committee also finds that although the United States is the only developed nation without a guaranteed paid sick leave policy, Hawaii has led in the area of worker's benefits by being the only state that requires employers to provide health care insurance for their employees. In light of the discussion regarding the effects of the increased benefits proposed by this measure on small businesses and low-income employees, your Committee believes that the creation of a state paid sick leave program is premature and requires more study.

Accordingly, your Committee has amended this measure by:

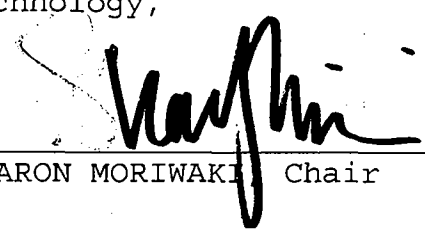
- (1) Deleting language that would have required employers to provide a minimum amount of paid sick leave to employees to be used to care for themselves or a family member who is ill or needs medical care and supplemental paid sick leave to employees under certain public health emergency conditions;
- (2) Requiring the Department of Labor and Industrial Relations to:
 - (A) Conduct a study on paid sick leave;



- (B) Consider various federal and state laws on health benefits, temporary disability, and workers compensation with the purpose of providing sick leave to all employees, including the coverage of employers and employees not covered by collective bargaining units;
 - (C) Invite certain and other local businesses and employers that would be affected by a paid sick leave law; and
 - (D) Submit a report of its findings and recommendations, including any proposed legislation, to the Legislature prior to the Regular Session of 2024;
- (3) Inserting an appropriation of an unspecified amount for the Department of Labor and Industrial Relations to conduct the study on paid sick leave; and
 - (4) Inserting an effective date of January 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Labor and Technology that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 342, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 342, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.


Respectfully submitted on
behalf of the members of the
Committee on Labor and
Technology,


SHARON MORIWAKI, Chair



The Senate
 Thirty-Second Legislature
 State of Hawai'i

Record of Votes
Committee on Labor and Technology
LBT

Bill / Resolution No.:* SB 342	Committee Referral: LBT, JDC/WAM	Date: 2/6/23		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
MORIWAKI, Sharon Y. (C)	x			
LEE, Chris (VC)	x			
IHARA, Jr., Les	x			
KEITH-AGARAN, Gilbert S.C.	x			
FEVELLA, Kurt	x			
TOTAL	5			
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center; font-family: cursive; font-size: 1.2em;">  </div>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes