



# Hawai'i State Lesbian, Gay, Bisexual, Transgender, Queer Plus Commission



*Advocating for the Hawai'i LGBTQIA+ Community*

Mailing Address: LGBTQ+ Commission, c/o The Department of Human Services,  
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February 10, 2026

House's Committee on Labor  
Hawai'i State Capitol  
415 South Beretania Street  
Honolulu, HI 96813

Hearing: Thursday, February 12, 2026, at 9:30 AM

**RE: Strong Support for House Bill 1878**

Aloha Chair Sayama, Vice Chair Lee and fellow committee members,

I am writing in strong support of House Bill 1878 on behalf of the Hawai'i State Lesbian, Gay, Bisexual, Transgender, Queer Plus (LGBTQ+) Commission, which was established by the 2022 Hawai'i State Legislature to

“improve the State's interface with members of the lesbian, gay, bisexual, transgender, queer, plus community; identify the short- and long-range needs of its members; and ensure that there is an effective means of researching, planning, and advocating for the equity of this population in all aspects of state government.”

The **Hawai'i State LGBTQ+ Commission strongly supports House Bill 1878**, which strengthens our state's civil rights protections by explicitly prohibiting discrimination based on perceived characteristics, perceived association with protected classes, and the intersection or combination of multiple protected characteristics.

HB 1878 is a critical and timely measure that reflects the lived realities of many people in Hawai'i, particularly māhū, transgender, nonbinary, LGBTQIA+, Native Hawaiian, Pacific Islander, immigrant, and disabled communities, who routinely experience discrimination not only for who they are, but for who others *think* they are, who they are *associated with*, or how multiple aspects of their identity intersect.

Discrimination is often rooted in assumption and bias, not fact. Individuals are denied housing, employment, healthcare, and public accommodations because of how they look, sound, dress, worship, love, or who they are seen with. For example, a person may be targeted because they are perceived to be transgender, because they accompany a same-gender partner, or because their racial, cultural, gender, and sexual identities intersect in ways that expose them to compounded harm. HB 1878 closes critical gaps by ensuring that such conduct is clearly unlawful.

*Proudly established pursuant to Hawai'i Revised Statutes Chapter 369, as enacted through Act 41, Session Laws of Hawai'i 2022*

## HI State LGBTQ+ Commission Testimony in Support of HB 1878

Importantly, this bill acknowledges intersectionality, the reality that people do not experience discrimination in isolated silos. Māhū and LGBTQIA+ individuals who are also Native Hawaiian, Pacific Islander, immigrants, youth, elders, and/or people with disabilities often face layered and intensified discrimination. Explicitly recognizing intersectional discrimination aligns Hawai'i law with modern civil rights principles and strengthens enforcement by providing clarity to courts, agencies, employers, and the public.

At a time when federal protections are being weakened and marginalized communities are increasingly targeted, Hawai'i has both the opportunity and responsibility to reaffirm its commitment to equity, dignity, and aloha for all. HB 1878 reflects Hawai'i's long-standing values of inclusion and fairness and sends a clear message that discrimination, whether based on perception, association, or intersecting identities, has no place in the Aloha state.

For these reasons, the Hawai'i State LGBTQ+ Commission urges the Committee to pass House Bill 1878. Mahalo for the opportunity to provide testimony and for your continued leadership in advancing civil rights in Hawai'i.

If you or any member of your staff has any questions regarding my testimony you can reach me at [hawaiistatelgbtqpluscommission@gmail.com](mailto:hawaiistatelgbtqpluscommission@gmail.com).

Mahalo nui loa for your time and consideration,

Sandy Harjo Livingston (he/him/they/them)

Chair

[Hawai'i State LGBTQ+ Commission](#)



STATE OF HAWAII  
DEPARTMENT OF EDUCATION  
KA 'OIHANA HO'ONA'AUAO  
P.O. BOX 2360  
HONOLULU, HAWAII 96804

**Date:** 02/12/2026

**Time:** 09:30 AM

**Location:** 309 VIA VIDEOCONFERENCE

**Committee:** LAB

**Department:** Education

**Person Testifying:** Keith T. Hayashi, Superintendent of Education

**Title of Bill:** HB1878, RELATING TO DISCRIMINATION.

**Purpose of Bill:** Prohibits discrimination based on: (1) The perception that a person possesses certain characteristics; (2) The perception that a person is associated with a person who possesses, or is perceived to possess, certain characteristics; or (3) The intersection or combination of two or more specified characteristics in relation to a person.

**Department's Position:**

The Hawaii State Department of Education (Department) respectfully offers comments and concerns regarding HB1878, which seeks to prohibit discrimination based on: (1) The perception that a person possesses certain characteristics; (2) The perception that a person is associated with a person who possesses, or is perceived to possess, certain characteristics; or (3) The intersection or combination of two or more specified characteristics in relation to a person.

While the Department fully supports the intent of fostering an inclusive and safe learning environment for all students and employees, there may be significant operational and litigation risks arising from the "gray areas" created by the Bill's current language. Unlike actual characteristics, discrimination based on "perception" is inherently subjective. The Department would like to ensure a clear understanding of the proposed definitions prior to offering full support on this bill. For example, regarding the prohibition of discrimination based on a person's association with another, what constitutes an "association" as they could range from familial or domestic relationships to professional or social affiliations.

The Department seeks further clarification regarding the evidentiary framework for proving discrimination based on the 'intersection' of protected characteristics. Specifically, whether a person would be required to demonstrate that the alleged discrimination was uniquely tied to the combination of factors, or was simply that multiple individual factors were present. Without a clear metric for measuring intersectional bias, the Department faces significant challenges in developing consistent internal investigative protocols.

Finally, the Department also suggests stating explicitly that the measure does not create new protected classes, but rather clarifies how existing protections apply. These suggestions do not change the bill's intent and are offered only to improve consistent application.

For these reasons, the Department respectfully offers these comments on HB 1878 and appreciates the Legislature's continued commitment to equity and inclusion in Hawaii's public education system.

Thank you for the opportunity to provide testimony on HB 1878.



# **HAWAI‘I CIVIL RIGHTS COMMISSION**

## **KOMIKINA PONO KIWILA O HAWAI‘I**

830 PUNCHBOWL STREET, ROOM 411, HONOLULU, HI 96813 · PHONE: (808) 586-8636 · FAX: (808) 586-8655 · TDD: (808) 586-8692

DATE: Thursday, February 12, 2026  
TIME: 9:30 AM  
PLACE: VIA VIDEOCONFERENCE  
Conference Room 309  
State Capitol  
415 South Beretania Street

To:

[COMMITTEE ON LABOR](#)

Rep. Jackson D. Sayama, Chair

Rep. Mike Lee, Vice Chair

From: Alphonso Braggs, Chair  
and Commissioners of the Hawai‘i Civil Rights Commission

### **Re: HB 1878 Relating to Discrimination**

### **Testimony in SUPPORT**

**The Hawai‘i Civil Rights Commission (HCRC)** carries out the Hawai‘i constitutional mandate that no person shall be discriminated against in the exercise of their civil rights. Art. I, Sec. 5. HCRC has enforcement jurisdiction over Hawai‘i’s laws prohibiting discrimination in employment (Chapter 378, Part I, HRS), housing (Chapter 515, HRS), public accommodations (Chapter 489, HRS), and access to state and state-funded services (HRS § 368-1.5).

HB 1878 amends the statutes prohibiting discrimination in employment, housing, public accommodations, and covered educational programs (Chapter 368D, over which the HCRC does not have jurisdiction), and clarifies that 1) intersectional claims are protected, 2) expands the prohibition of discriminatory actions based on the perception that an individual is a member of a protected class, as identified in 368-1, HRS, and 3) and expands the prohibition of

discriminatory actions based on the perception that an individual is perceived to associated with a person who is a member of a protected class, as identified in 368-1, HRS. These amendments would strengthen protections for those with intersectional claims by preventing the possible erosion of legal protections in the courts, and broaden the scope of protection for individuals within our state.

### **Intersectional Claims:**

The HCRC has historically acknowledged and continues to protect individuals with intersectional claims, recognizing the unique challenges many individuals may face when there are multiple protected classes involved. The Ninth Circuit Court of Appeals in *Lam v. University of Hawaii*, 40 F.3d 1551 (9<sup>th</sup> Cir. 1994), recognized that individuals often cannot be neatly boxed into distinct categories when experiencing discriminatory treatment:

As other courts have recognized, where two bases for discrimination exist, they cannot be neatly reduced to distinct components. Rather than aiding the decisional process, **the attempt to bisect a person's identity at the intersection of race and gender often distorts or ignores the particular nature of their experiences.**<sup>1</sup>

As examples, an Asian woman may be treated differently in the workplace when compared with an Asian man, just a black woman in the workplace may have a very different experience than a black man. Stereotypes often group multiple characteristics and cannot be easily separated. However, while these protections for intersectional claims exist in practice, there is a real threat that courts may overrule the recognition of these rights. HB 1878 would strengthen these protections by codifying intersectional claims.

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<sup>1</sup> *Lam v. U. of Hawai'i*, 40 F.3d 1551, 1562 (9th Cir. 1994), as amended (Nov. 21, 1994), as amended (Dec. 14, 1994) (internal citations omitted) (emphasis added).

### “Perceived As” Discrimination:

HB 1878 would also expand protections to prohibit discriminatory practices based on the perception that an individual is of a protected class or has protected characteristics, whether or not the aggrieved individual is actually a part of the class. At the federal level under Title VII, there have been awful decisions where a supervisor getting a stereotype wrong about a characteristic of a protected class left no remedy for the aggrieved employee if the employee was not a member of the stereotyped protected class.<sup>2</sup> The intent to treat differently based on a protected class might have been undisputed, but the bad actors just placed the stereotypes on the wrong individual. This should not leave the aggrieved individual without remedy. HB 1878 would prohibit adverse actions against an individual based on a perception that the individual is a part of the protected class, even if inaccurate. This is in line with purpose and intent of the nondiscrimination laws, to prohibit discrimination because of characteristics of a protected class.

While the laws prohibiting discrimination would be expanded by HB 1878 to include prohibition of discriminatory actions based *on the perception* that an individual is a member of a protected class as identified in 368-1, HRS, the framework for analysis is not new.

Discrimination on the basis of disability has always prohibited adverse action taken because an individual is “*regarded as having such an impairment*” or disability.<sup>3</sup> Usually this presents as

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<sup>2</sup> “As defendant points out, Title VII protects those persons that belong to a protected class, [ ] and says nothing about protection of persons who are *perceived* to belong to a protected class” Butler v. Potter, 345 F. Supp. 2d 844, 850 (E.D. Tenn. 2004) (internal citations omitted) (emphasis in original) (employee alleged that he was harassed because his supervisors believed he was Middle Eastern or Arab and questioned him about his prominent nose, however, the employee was Caucasian. Defendant was granted summary judgment).

<sup>3</sup> See HAR § 12-46-182, definitions “Being regarded as having such an impairment”.

someone treating an individual differently because they believe that the individual has physical or mental limitations based on assumptions and/or stereotypes, whether or not that individual has a disability.<sup>4</sup> An example of this would be an employer who refuses to hire an applicant because of skin graft scars, believing that the applicant has higher medical needs and would likely request more accommodations at work is considered as “regarded as” discrimination.

In a similar vein, the analysis for *perceived as* part of a protected class or having protected characteristics would involve statements or other evidence of stereotypes or assumptions of characteristics of a protected class and adverse actions taken because of those stereotypes or assumptions, whether or not the perception is accurate.

**“Perceived to associate” with a protected group discrimination:**

While S.B. 2871’s prohibition of discrimination based on the perception that an individual associates with individuals of a protected group as listed in HRS § 368-1 would expand protections (similar to “perceived as” discrimination) the analytical framework already exists. Under HRS § 378-2, discriminatory practices prohibited in employment, it is unlawful for any covered entity to discriminate against an individual “because of the known disability of an individual with whom the qualified individual is known to *have a relationship or association.*”

Additionally, under HAR §§ 12-46-1, 12-46-171, and 12-46-302, prohibited discrimination based on ancestry includes taking adverse action based on an individual’s

- (1) Marriage to or association with persons of an ancestral group;
- (2) Membership in or association with an organization identified with or seeking to promote the interests of an ancestral group;
- (3) Attendance or participation in schools, churches, temples, or mosques, generally used by persons of an ancestral group; or

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<sup>4</sup> Generally speaking, disability is defined as a mental or physical impairment that substantially limits one or more life activities.

(4) Because an individual's name or spouse's name is associated with an ancestral group.

For both disability and ancestry, unlawful discriminatory practices based on the individual's association with individuals or organizations of the protected class is prohibited, whether by marriage, familial ties, or membership in a cultural group. HB 1878 would expand these protected beyond disability and ancestry so that association with individuals or organizations of all the protected classes enumerated in HRS § 368-1, and the perceived association with protected individuals and groups, would be protected.

Mahalo for the opportunity to testify in support of HB 1878.



**To:** House Labor Committee

**Re:** Testimony in STRONG SUPPORT of HB 1878

Dear Chair Sayama, Vice Chair Lee, and the Members of House Labor Committee,

Members of AAUW of Hawai'i thank you for this opportunity to testify in strong support of HB 1878, which prohibits discrimination based on: (1) the perception that a person possesses certain characteristics; (2) the perception that a person is associated with a person who possesses, or is perceived to possess, certain characteristics; or (3) the intersection or combination of two or more specified characteristics in relation to a person.

HB 1878 is critically important because it seeks to expand anti-discrimination protections at the state-level during a time when there are rollbacks in federal protections. Specifically, HB 1878 recognizes that discrimination can happen based on a combination of protected characteristics (i.e., intersectionality) and not based on just a single protected basis (i.e., race, sex, age, marital status, disability, etc.).

HB 1878 will affirm longstanding federal caselaw Lam v. Univ. of Hawaii, 40 F.3d 1551 (9th Cir. 1994), which found that discrimination may be based on a combination of protected categories and not just on a single protected category. In Lam v. Univ. of Hawaii, plaintiff was not hired for a law professor position because she did not fit the stereotype of a meek, subservient Asian woman. Still, the defendant argued that there was no discrimination given that the law school employed both Asians and women. However, the court found that race and sex could not be separated in this discriminatory hiring context, giving rise to the legal concept of intersectional discrimination.

HB 1878 understands that in the real world discrimination often does not occur in isolation and is not a single basis-claim. HB 1878 will help people seeking justice and hold discriminatory actors accountable.

With a shifting federal landscape, HB 1878 will provide certainty for both employers seeking to maintain compliant practices and employees relying on established protections without having to guess about possibly changing federal protections under the current federal administration and evolving federal courts.

AAUW of Hawai'i again thanks you for hearing HB 1878 and urges you to pass HB 1878 out of your Committee.

Sincerely,

*Sandy Ma, Esq.*

AAUW of Hawai'i Public Policy Committee

*The American Association of University Women (AAUW) of Hawai'i is an all-volunteer, statewide chapter of a national organization with close to 4,000 members and supporters across all four counties - Hawai'i, Honolulu, Kaua'i, and Maui. AAUW has state chapters in all 50 states and our mission is to advance gender equity through education and advocacy. Economic security for women is our goal.*



February 10, 2026

House's Committee on Labor  
Hawai'i State Capitol  
415 South Beretania Street  
Honolulu, HI 96813

Hearing: Thursday, February 12, 2026 at 9:30 AM

RE: **STRONG SUPPORT for House Bill 1878**

Aloha Chair Sayama, Vice-Chair Lee and fellow committee members,

Pride at Work – Hawai'i is an official chapter of [Pride at Work](#) which is a national nonprofit organization that represents LGBTQIA+ union members and their allies. We are an officially recognized constituency group of the AFL-CIO that organizes mutual support between the organized Labor Movement and the LGBTQIA+ Community to further social and economic justice. We write in **strong support of House Bill 1878**.

Pride at Work – Hawai'i strongly supports House Bill 1878, which modernizes and strengthens Hawai'i's anti-discrimination laws by explicitly prohibiting discrimination based on perceived characteristics, perceived association with protected classes, and the intersection of multiple protected characteristics.

As a labor organization committed to advancing the rights, safety, and dignity of LGBTQIA+ workers, we know that discrimination in the workplace is rarely limited to a single identity or based solely on fact. Workers are often disciplined, denied promotions, harassed, or terminated because of assumptions about who they are, who they love, how they express their gender, or who they are seen with—rather than their actual job performance. HB 1878 directly addresses these realities.

Perception-based discrimination is especially prevalent in employment settings. LGBTQIA+ workers, māhū workers, and gender nonconforming workers are frequently targeted because they are *perceived* to be transgender or queer, regardless of their actual identity. Similarly, workers may face retaliation or harassment simply for supporting māhū or LGBTQIA+ coworkers, having same-gender partners, or being associated with communities that are marginalized. These harms undermine worker morale, economic stability, and workplace safety.

HB 1878's explicit recognition of intersectional discrimination is also critical for working people in Hawai'i. Many workers hold multiple identities—such as being Native Hawaiian, Pacific Islander, immigrant, disabled, or women—while also being māhū or LGBTQIA+. These intersecting identities often expose workers to compounded discrimination that current law does not always adequately address. By naming and prohibiting intersectional discrimination, this bill provides clarity for employers and stronger protections for workers.

Pride at Work – Hawai'i's Testimony in STRONG SUPPORT of Re: HB 1878

Strong anti-discrimination laws are essential to ensuring fair wages, safe workplaces, and equal opportunity. They also promote labor stability by reducing turnover, improving productivity, and fostering workplaces where all workers can show up as their full selves without fear. HB 1878 supports these goals while aligning Hawai'i law with the realities of today's workforce.

At a time when māhū, LGBTQIA+, and gender non-conforming workers are facing increased hostility and rollbacks of protections at the federal level, Hawai'i must continue to lead by affirming that discrimination, whether based on perception, association, or intersecting identities, will not be tolerated.

For these reasons, Pride at Work – Hawai'i urges the Committee to pass House Bill 1878.

Mahalo for the opportunity to testify and for your commitment to protecting workers and advancing equity in Hawai'i.

In Solidarity,

Michael Golojuch, Jr. (he/him)

President

[Pride at Work – Hawai'i](#)



Committee: Labor  
Hearing Date/Time: Thursday, February 12, 2026, at 9:30am  
Place: Conference Room 309 & Via Videoconference  
Re: **Testimony of the ACLU of Hawai'i in SUPPORT of HB1878  
Relating to Discrimination**

Dear Chair Sayama, Vice Chair Lee, and Committee Members:

The ACLU of Hawai'i strongly supports HB1878, which prohibits discrimination based on (1) the perception that a person possesses certain characteristics; (2) the perception that a person is associated with a person who possesses, or is perceived to possess, certain characteristics; or (3) the intersection or combination of two or more specified characteristics in relation to a person.

The ACLU has a long history of standing up against discrimination in our state and in our country. In such an ethnic and culturally diverse place as Hawaii, this is especially important.

As the bill highlights, the Ninth Circuit ruling in *Lam v. University of Hawaii* indicated that people cannot neatly be put into distinctly identifiable boxes. Individuals are complex and have complex backgrounds, racial and ethnic roots. Similarly, gender identify and sexual orientation cannot be easily parsed.<sup>1</sup>

The state must combat discrimination as completely as possible while acknowledging that perception is also complex. The law must reflect this complexity and include mechanisms to respond accordingly.

HB1878 does exactly that by declaring:

“that the practice of discrimination based on a perception that a person possesses any particular characteristic or characteristics listed [...] or that the person is associated with a person who possesses, or is perceived to possess, any particular characteristic or characteristics listed [...] is against public policy.”

As the complex diversity of Hawaii changes, so too must our laws. This bill is significant and timely.

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<sup>1</sup> *Lam v. University of Hawaii*, 40 F.3d 1551 (9th Cir. 1994). <https://law.justia.com/cases/federal/appellate-courts/F3/40/1551/507676/>

Adopting HB1878 will help ensure people are treated equitably and fairly and will strengthen our anti-discrimination laws.

Mahalo,

**Josh Frost**

Josh Frost

Policy Assistant

ACLU of Hawai'i

[jfrost@acluhawaii.org](mailto:jfrost@acluhawaii.org)

*With more than 4,000 Hawaii-based members, the mission of the American Civil Liberties Union of Hawai'i is to protect the fundamental freedoms enshrined in the United States and Hawai'i State Constitutions through legislative, litigation, and public education work. The ACLU of Hawai'i is a non-partisan and private non-profit organization that provides its services at no cost to the public and does not accept government funds. The ACLU of Hawai'i has been serving our communities in Hawai'i for over 60 years.*



House Labor Committee  
Representative Sayama, Chair  
Representative Lee, Vice Chair  
Members of the Committee

9:00 AM, February 12, 2026

**RE: HB 1878, Relating to Discrimination**

Aloha Chair Sayama Chair Lee, and members of the Committee:

**Society of Human Resource Management – Hawaii (“SHRM Hawaii”) respectfully opposes HB 1878, relating to discrimination.**

SHRM Hawai'i members are responsible for ensuring compliance with federal, state, and local employment laws while fostering fair, inclusive, and productive workplaces. Our members represent employers of all sizes across Hawai'i and are committed to preventing unlawful discrimination.

While we support the goal of protecting employees from discrimination, we have concerns that this measure may create legal uncertainty and unintended consequences. Hawai'i employers are already subject to comprehensive anti-discrimination laws, including Title VII of the Civil Rights Act, the Americans with Disabilities Act, the Age Discrimination in Employment Act, and existing state statutes. As drafted, this bill may overlap with or conflict with these established legal frameworks.

The bill's expansion of liability to include perceived characteristics, perceived associations, and the intersection or combination of characteristics is broad and undefined. Without clear statutory standards, employers may face increased litigation risk based on subjective interpretations rather than clear evidence of discriminatory conduct. This ambiguity could make routine employment decisions more legally complex and difficult to administer consistently.

Additionally, expanded compliance obligations may disproportionately impact small and mid-sized employers who already navigate a challenging and evolving regulatory environment. Clear, consistent, and predictable standards are essential for HR professionals to effectively implement fair workplace policies. SHRM Hawai'i respectfully urges the Legislature to carefully consider whether additional clarification is needed.

Mahalo for the opportunity to provide testimony,  
Erin Kogen and Maggie Batangan  
Co-chairs, SHRM Legislative Affairs Committee



SHRM Hawaii, P. O. Box 3175, Honolulu, Hawaii (808) 447-1840

Hearing Date: Thursday, February 12, 2026 9:30 am, Room 309

To: House Committee on Labor  
Chair, Rep. Jackson D. Sayama  
Vice Chair, Rep. Mike Lee

From: Jean Evans, (Individual)

**Re: TESTIMONY IN SUPPORT OF HB 1878 RELATING TO  
DISCRIMINATION**

My name is Jean Evans. I retired after 40 years holding executive positions in Hawaii non-profit agencies. I am also a member of AAUW Hawaii.

**I support of HB 1878 Relating to Discrimination**

HB 1878 extends anti-discrimination protections in employment, housing, education, and public accommodations to cover a combination of characteristics and not just a single protected category.

In Hawaii we have a very diverse population, where many individuals fall into more than one protected category including race, age and gender. In 1994 the federal 9<sup>th</sup> Circuit case, Lam v. Univ. of Hawaii, 40 F.3d 1551, found that discrimination may be based on a combination of protected categories and not just a single protected category. HB 1878 will codify this ruling into our State Laws.

Let Hawaii continue its leadership in preventing discrimination by passing this measure.

Mahalo for allowing me to submit my testimony today.

COMMITTEE ON LABOR  
Rep. Jackson D. Sayama, Chair  
Rep. Mike Lee, Vice Chair

HEARING:  
Thursday, February 12, 2026 at 9:30 AM  
VIA VIDEOCONFERENCE  
Conference Room 309  
State Capitol  
415 South Beretania Street

**TESTIMONY IN SUPPORT: HB 2360 - RELATING TO PAID FAMILY LEAVE.**

Aloha Chair Sayama, Vice Chair Lee, and Members of the Committee,

My name is Christine Andrews and I am a long-term resident of Wailuku, Maui. I write to you today in **strong support of HB 1878**, Relating to Discrimination, which prohibits discrimination based on: (1) The perception that a person possesses certain characteristics; (2) The perception that a person is associated with a person who possesses, or is perceived to possess, certain characteristics; or (3) The intersection or combination of two or more specified characteristics in relation to a person.

House Bill 1878 recognizes that discrimination can happen based on an intersection or combination of protected characteristics, and codifies that discrimination may be based on a combination of protected categories and not just a single protected category. There is currently a considerable amount of uncertainty as the result of the current U.S. Supreme Court issuing decisions that reject what had formerly been established law, such as overruling Roe v Wade in 2022, and, more recently in September, overturning established precedent to allow the use of racial profiling as cause for detention by federal immigration agents. Due to the uncertainty resulting from the U.S. Supreme Court, many states are codifying rights as a protective measure, which is why SB 2871 is an important measure at this critical time to reaffirm Hawaii's anti-discrimination protections.

House Bill 1878 will provide certainty for both employers seeking to maintain compliant practices and employees relying on established protections without having to guess about possibly changing federal protections under the current federal administration and evolving federal courts. I humbly request that the Committee protect Hawai'i antidiscrimination law through your **support of HB 1878**.

Mahalo,

Christine Andrews, JD  
Wailuku, Maui

**HB-1878**

Submitted on: 2/10/2026 3:28:29 PM

Testimony for LAB on 2/12/2026 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Annette Barr	Individual	Support	Written Testimony Only

Comments:

As a member of American Association of University Women and as a member of the broader Hamakua Coast community on Hawaii Island I strongly support this bill. Mahalo

**HB-1878**

Submitted on: 2/10/2026 5:06:28 PM

Testimony for LAB on 2/12/2026 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Younghee Overly	Individual	Support	Written Testimony Only

Comments:

Thank you for hearing HB1878 which would expand anti-discrimination.

Younghee Overly, a member of AAUW Hawaii

**HB-1878**

Submitted on: 2/11/2026 10:46:21 AM

Testimony for LAB on 2/12/2026 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Beth Anderson	Individual	Support	Written Testimony Only

Comments:

Thank you for supporting HB 1878 to ensure everyone is protected from discrimination in the workplace, regarding housing, wages, age, gender, ethnicity, race, etc. I strongly support this bill.

Mahalo,

Beth Anderson

Kailua

To: Chair Jackson Sayama, Vice Chair Mike Lee and members of the House Committee on Labor

From: Robin Wurtzel

Date: February 11, 2026

I am submitting testimony in support of H.B. 1878.

Hawai`I has strong civil rights statutes, and thus bill adds additional protections against discrimination by prohibiting discrimination based on: (1) The perception that a person possesses certain characteristics; (2) The perception that a person is associated with a person who possesses, or is perceived to possess, certain characteristics; or (3) The intersection or combination of two or more specified characteristics in relation to a person.

Discrimination based on perception, even if the perception is incorrect, is just as harmful to the person as if they had the characteristic in question. Such discrimination, if not prohibited, permits harassers to continue discriminatory behavior which is harmful to society as a whole. The civil rights statutes already include such protections for those perceived to have a disability.

Intersectional discrimination is a much needed protection. Discrimination may occur because of a combination of protected bases and it is important to recognize this. If a woman of color is harassed or discriminated against it may be because of race, color, sex and ancestry.

As we see a diminishment of federal protections, it is critical for states to codify strong protections against discrimination.

I strongly support H.B. 1878.