



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

Date: 03/18/2026

Time: 03:00 PM

Location: CR 225 & Videoconference

Committee: LBT

Department: Education

Person Testifying: Keith T. Hayashi, Superintendent of Education

Title of Bill: HB2091, HD2, RELATING TO PETITIONS TO TEMPORARILY RESTRAIN AND ENJOIN HARASSMENT OF AN EMPLOYEE.

Purpose of Bill: Establishes a two-year pilot project to authorize public employers to petition for temporary restraining orders and injunctions against employment-related harassment of certain public employees. Sunsets 6/30/2028. Effective 7/1/3000. (HD2)

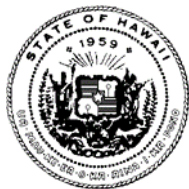
Department's Position:

The Hawaii State Department of Education (Department) supports HB 2091, HD 2, which establishes a two-year pilot project to expand protections against employment-related harassment by allowing public employers to secure a temporary restraining order and an injunction against harassment on behalf of a harassed employee under specified circumstances.

HB 2091, HD 2 provides a legal mechanism for the Department to protect its employees from work-related harassment.

Thank you for the opportunity to provide support on HB 2091, HD 2.

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



RYAN I. YAMANE
DIRECTOR
KA LUNA HO'OKELE

JOSEPH CAMPOS II
DEPUTY DIRECTOR
KA HOPE LUNA HO'OKELE

STATE OF HAWAII
KA MOKU'ĀINA O HAWAI'I
DEPARTMENT OF HUMAN SERVICES
KA 'OIHANA MĀLAMA LAWELAWE KANAKA
Office of the Director
P. O. Box 339
Honolulu, Hawaii 96809-0339

TRISTA SPEER
DEPUTY DIRECTOR
KA HOPE LUNA HO'OKELE

March 17, 2026

TO: The Honorable Senator Brandon J.C. Elefante, Chair
Senate Committee on Labor and Technology

FROM: Ryan I. Yamane, Director

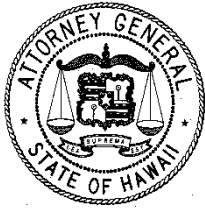
SUBJECT: **HB 2091 HD2 – RELATING TO PETITIONS TO TEMPORARILY RESTRAIN AND ENJOIN HARASSMENT OF AN EMPLOYEE.**

Hearing: March 18, 2026, 3:00 p.m.
Conference Room 225 & Via Videoconference, State Capitol

DEPARTMENT'S POSITION: The Department of Human Services (DHS) supports this measure allowing public employers to petition for temporary restraining orders and injunctions against harassment against "public servants," and provides comments. DHS defers to the Department of the Attorney General.

In recent years, DHS staff have been harassed, assaulted, threatened, and stalked while in the course of their work. These additional protections will enhance workplace safety and may encourage experienced individuals to seek and remain in government and leadership roles.

Thank you for the opportunity to provide testimony on this measure.



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
KA 'OIHANA O KA LOIO KUHINA
THIRTY-THIRD LEGISLATURE, 2026**

ON THE FOLLOWING MEASURE:

H.B. NO. 2091, H.D. 2, RELATING TO PETITIONS TO TEMPORARILY RESTRAIN AND ENJOIN HARASSMENT OF AN EMPLOYEE.

BEFORE THE:

SENATE COMMITTEE ON LABOR AND TECHNOLOGY

DATE: Wednesday, March 18, 2026 **TIME:** 3:00 p.m.

LOCATION: State Capitol, Room 225

TESTIFIER(S): Anne E. Lopez, Attorney General, or
Diana Sumarna, Deputy Attorney General, or
Fiamma M. Rago, Deputy Attorney General

Chair Elefante and Members of the Committee:

The Department of the Attorney General (Department) supports this bill as currently drafted.

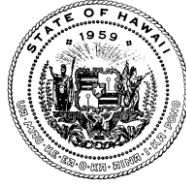
This bill establishes a two-year pilot project to expand protections against employment-related harassment by allowing public employers to seek a temporary restraining order and an injunction on behalf of a harassed employee under specified circumstances. The Department worked closely with the Judiciary on the current draft of the bill.

The Department appreciates the revisions made in House Draft 2, which are substantially the same as its companion bill, S.B. No. 2567, S.D. 2. This version addresses the Department's concerns, as well as many of the issues raised by other individuals who testified on this and similar bills. By directing the Department to establish a funded system for retaining private counsel, House Draft 2 resolves the Department's primary concern with the original bill—namely, requiring the Department and its deputy attorneys general to represent individuals in their personal capacities—while providing a workable mechanism for public servants across all three branches of state government and the counties to obtain protection under this pilot program.

To implement this bill, the Department respectfully requests an appropriation of \$300,000.

Based on information provided by the Judiciary, the Department anticipates that each temporary restraining order and injunction matter will require at a minimum five hours of attorney time for information gathering, drafting and filing the petitions, attending the hearings, and any necessary follow-up. While attorneys' fees, court costs, and service fees may differ from case-to-case, and the utilization of this program is uncertain, we believe that \$300,000 is a reasonable figure to initiate this pilot project.

Thank you for considering our testimony.



STATE OF HAWAII
OFFICE OF WELLNESS AND RESILIENCE
OFFICE OF THE GOVERNOR
415 S. BERETANIA ST. #415
HONOLULU, HAWAII 96813

Testimony on H.B. 2091 HD2
RELATING TO PETITIONS TO TEMPORARILY RESTRAIN AND ENJOIN
HARASSMENT OF AN EMPLOYEE

Senator Brandon Elefante, Chair
Senator Rachele Lamosao, Vice Chair
Senate Committee on Labor and Technology

March 18, 2026, at 3:00 p.m.; Room Number: 225

The Office of Wellness and Resilience (OWR) **Supports** H.B. 2091 HD2, Relating to Petitions to Temporarily Restrain and Enjoin Harassment of an Employee.

The mission of the OWR is to strengthen state systems and services by advancing hope-centered principles and supporting Hawai'i's transition toward becoming a trauma-informed state.

Safety—both physical and psychological—is a foundational principle of trauma-informed care.¹ Workplace physical environment and safety is also a core domain of worker well-being. Research consistently links worker wellbeing to outcomes including worker retention, productivity, absenteeism, and both physical and mental health.² In early 2024, in partnership with the College of Social Sciences' Health Policy Initiative at the University of Hawai'i at Mānoa, the OWR conducted the Hawai'i Quality of Life and Workplace Wellness Survey.³

¹ SAMHSA's Concept of Trauma and Guidance for a Trauma-informed Approach. (n.d.). www.samhsa.gov.
<https://www.samhsa.gov/resource/dbhis/samhsas-concept-trauma-guidance-trauma-informed-approach>

² Chari, R., Sauter, S. L., Petrun Sayers, E. L., Huang, W., Fisher, G. G., & Chang, C.-C. (2022). Development of the National Institute for Occupational Safety and Health Worker Well-Being Questionnaire. *Journal of Occupational and Environmental Medicine*, 64(8), 707–717. <https://doi.org/10.1097/JOM.0000000000002585>

³ Learn more at Hawai'i Quality of Life and Well-Being Dashboard [QOL Dashboard - Public | Display](#)

Thirty-five percent of state employees reported experiencing violence on the job within the past 12 months. Among those individuals, 49% chose not to report the violence or harassment they encountered, citing fear of retaliation as the primary reason for not coming forward. The proposed measure could serve as an effective way of addressing this barrier.

When public employees experience persistent harassment, threats, or hostile conduct, the foundation of safety is compromised for both the individual and the people of Hawai'i they serve. H.B. 2091 HD2 takes an important step toward ensuring that public employees can serve in a safe, healing-centered environment.

Thank you for the opportunity to testify on this important measure.

Tia L.R. Hartsock, MSW, MSCJA
Director, Office of Wellness & Resilience



The Senate Committee on Labor and Technology
March 18, 2026
Room 225
3:00 PM

RE: **HB 2091 HD2, Relating to Petitions to Temporarily Restrain and Enjoin Harassment of an Employee**

Attention: Chair Brandon J.C. Elefante, Vice Chair Rachele Lamosao, Members of the Committee

The University of Hawaii Professional Assembly (UHPA), the exclusive bargaining representative for all University of Hawai'i faculty members across Hawai'i's statewide 10-campus system, **supports HB 2091 HD2.**

UHPA strongly endorses the underlying concept of empowering public employers to petition for temporary restraining orders and injunctions against employment-related harassment. Workplace violence, stalking, and credible threats present unique and heightened safety risks for frontline public workers. By authorizing the employer to step in and secure a protective order on behalf of a harassed employee, this measure appropriately shifts the emotional and financial burden of seeking legal protection away from the individual victim and onto the employer responsible for workplace safety.

Appreciation for the Inclusion of Faculty. We extend our appreciation to the committee for amending the definition of "public servant" in the HD2 draft to explicitly include any officer or employee of the executive branch. This inclusive language fixes a severe flaw in previous drafts and ensures that our dedicated University of Hawai'i faculty members are appropriately covered by these protections.

Faculty members are increasingly subjected to harassment simply for fulfilling their professional responsibilities to their students and the community. By expressly including them in this statutory framework, the Legislature ensures the University has the legal tools necessary to maintain a safe and secure learning environment for all. This is a vital public safety measure that will protect both our faculty and the communities they serve.

UHPA supports the passage of HB 2091 HD2.

Respectfully submitted,

Christian L. Fern
Executive Director
University of Hawaii Professional Assembly



UNITED PUBLIC WORKERS

AFSCME Local 646, AFL-CIO

THE SENATE KA 'AHA KENEKOA

THE THIRTY-THIRD LEGISLATURE REGULAR SESSION OF 2026

COMMITTEE ON LABOR AND TECHNOLOGY

Senator Brandon J.C. Elefante, Chair
Senator Rachele Lamosao, Vice Chair

Wednesday, March 18, 2026, 3:00 PM
Conference Room 225 & Videoconference

**Re: Testimony on HB2091, HD2 – RELATING TO PETITIONS TO TEMPORARILY RESTRAIN
AND ENJOIN HARASSMENT OF AN EMPLOYEE**

Chair Elefante, Vice Chair Lamosao, and Members of the Committee:

The United Public Workers, AFSCME Local 646, AFL-CIO (“UPW”) is the exclusive bargaining representative for approximately 14,000 public employees, which includes blue collar, non-supervisory employees in Bargaining Unit 1 and institutional, health, and correctional employees in Bargaining Unit 10, in the State of Hawaii and various counties.

UPW **supports** HB2091, HD2, which establishes a two-year pilot project to authorize public employers to petition for temporary restraining orders and injunctions against employment-related harassment of certain public employees.

Given recent events and the evident rise in incidents of harassment targeting public employees, it seems evident, unfortunately, that this legislation is necessary to protect the rights and dignity of hard-working public employees who are tasked with providing essential services to our communities and are often most vulnerable to this sickening behavior. We urge the committee to pass this measure.

Mahalo for the opportunity to testify on this bill.

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HAWAII GOVERNMENT EMPLOYEES ASSOCIATION
AFSCME Local 152, AFL-CIO

RANDY PERREIRA, Executive Director • Tel: 808.543.0011 • Fax: 808.528.0922

The Thirty-Third Legislature, State of Hawaii
The Senate
Committee on Labor and Technology

Testimony by
Hawaii Government Employees Association

March 18, 2026

H.B. 2091, H.D. 2 — RELATING TO PETITIONS TO TEMPORARILY RESTRAIN AND
ENJOIN HARASSMENT OF AN EMPLOYEE

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO supports the intent of H.B. 2091, H.D. 2, which establishes a two-year Pilot Project to authorize public employers to petition for temporary restraining orders and injunctions against employment-related harassment of certain public employees.

For years, our organization has been a staunch proponent for more employer intervention and responsibility when an employee is subjected to work related harassment, threats, and even assault. We have strongly advocated that the employer provide support and assistance if a temporary restraining order (TRO) is necessary and advisable. The proposed process in this bill empowers the employer to do just that. We appreciate the amendment made in the H.D. 2 which expands the definition of “public servant” to include all public employees employed within the State or any of its political subdivisions. All public employees, irrespective of position, should be entitled to the same level of legal protection and support.

It is shameful that employers currently do little to assist an employee in this process, leaving many employees left to navigate the legal process alone and bare any cost associated with filing a TRO. It is the employer's responsibility to foster a safe working environment, and if needed, intervene and take some level of ownership when their employee is put into a hostile situation by a member of the public. Employees should feel assured that their employer is committed to supporting and advocating for them if an unfortunate situation arises when a TRO is necessary.

Thank you for the opportunity to provide testimony in support of H.B. 2091, H.D. 2.

Respectfully submitted,


Randy Perreira
Executive Director