



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

Tuesday, March 3, 2026 2:00 p.m.
Conference Room 329 & Videoconference
State Capitol, 415 South Beretania Street

To:

[COMMITTEE ON CONSUMER PROTECTION & COMMERCE](#)

Rep. Scot Z. Matayoshi, Chair

Rep. Tina Nakada Grandinetti, Vice Chair

From: Alphonso Braggs, Chair

and Commissioners of the Hawai‘i Civil Rights Commission

Re: H.B. 2367 HD1 Relating to EMPLOYMENT EARNINGS

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).

Thank you for the opportunity to testify on HB2367 HD1, which amends HRS § 378-2.8 to clarify job listing disclosure requirements and eliminates the exemption threshold for small employers. We strongly support HB2367 HD1 because it makes it clear that all types of employers are covered, regardless of size, and is another step toward pay equity in Hawai‘i. We appreciate that this draft gives a clear definition of a “covered employee”.

Pay inequity hits hardest in groups that already face barriers: women, especially Native

Hawaiian, Pacific Islander, and Filipina women; people of color; workers in rural areas, where small employers dominate; workers in low-wage industries, where pay secrecy is common; and anyone who lacks bargaining power, including young workers and immigrants. But the truth is that everyone is affected. When unfair pay is allowed to continue, it drags down wages across entire industries, normalizes secrecy, and creates a culture where discrimination can hide.

The Hawai'i State Constitution contains one of the strongest equal rights provisions in the country. Article I, Section 5 states:

“No person shall be denied the equal protection of the laws.”

This is a broad, affirmative guarantee. *It does not say “only in workplaces with more than 25 employees.” It says **no person**.*

Hawai'i's anti-discrimination law in Chapter 378, HRS, applies to employers with at least one employee. This shows the Legislature's belief that civil rights protections should not depend on the size of the employer.

Pay equity is about equal protection. If two people do the same work, the law should protect their right to be paid fairly. When pay equity laws exclude workers in small workplaces, they carve out a constitutional right based on employer size. That is inconsistent with Hawai'i's constitutional commitment to equality.

Hawai'i's Constitution also includes Article I, Section 3, which protects **equal rights regardless of sex**. Pay discrimination is one of the clearest and most measurable forms of sex-based inequality. Ensuring pay equity is one of the most direct ways to fulfill this constitutional mandate. Pay equity and pay transparency are essential for making sure people are paid fairly for the work they do. When pay practices are open and easy to understand, it becomes much

harder for unfair differences to take root. This helps prevent hidden disparities, builds trust, and gives employees the information they need to make informed decisions. In a state with a high cost of living like Hawai'i, fair pay is not just a workplace issue. It is a matter of basic economic security for families.

Thank you for the opportunity to testify.



March 2, 2026

Position: **SUPPORT** of **HB2367 HD1**, Relating to Employment Earnings

To: Representative Scot Z. Matayoshi, Chair
Representative Tina Nakada Grandinetti, Vice Chair
Members of the House Committee on Consumer Protection & Commerce

From: Llasmin Chaine, LSW, Executive Director, Hawaii State Commission on the Status of Women

Re: Testimony in **SUPPORT** of **HB2367 HD1**, Relating to Employment Earnings

Hearing: Tuesday, March 3, 2026, 2:00 p.m.
Conference Room 329, State Capitol

The Hawaii State Commission on the Status of Women is dedicated to advancing gender equity and economic justice across the state. The Commission **supports HB2367 HD1 because pay transparency is a proven tool in addressing persistent wage gaps that disproportionately affect women.** By requiring employers to disclose hourly rates or salary ranges in job listings, this bill takes a meaningful step toward fairer and more equitable workplaces in Hawaii.

Requiring wage disclosure in all job postings, regardless of employer size, **aligns with best practices** for promoting pay equity and reducing information asymmetry in the hiring process. Research and experiences from other jurisdictions indicate that transparent pay practices can **help reduce wage disparities and empower applicants to negotiate from an informed position.** The removal of the exemption for employers with fewer than fifty employees is particularly important, as many women in Hawaii work for small businesses, and excluding these employers would perpetuate inequities. Clear wage information streamlines the recruitment process, and makes it more efficient, by setting clear expectations for both employers and applicants.

We respectfully urge this Committee to **pass HB2367 HD1.**

Thank you for this opportunity to submit testimony.



To: Hawaii State House Committee on Consumer Protection and Commerce

RE: Testimony in STRONG SUPPORT of HB2367 HD1 Relating to Employment Earnings

Dear Chair Matayoshi, Vice Chair Grandinetti, and members of the Committee,

The members of AAUW of Hawai'i thank you for hearing this measure. We strongly support HB2367 HD1, a measure which would require all employers to disclose wage ranges on job listings, by removing the exemption for employers having fewer than 50 employees. All employees deserve pay transparency and pay transparency is good for all businesses. About 49% of the Hawai'i's workforce work for businesses with fewer than 50 employees accordingly to DBEDT¹.

Pay transparency is one of the best employment practices according to a study by Payscale² and 82% of U.S. workers are more likely to consider applying for a job if pay range is included in the job posting according to a study by Society of Human Resource Management³. This bill with the requested amendment would make the best employment practice available to all employers and employees. This bill can make Hawai'i a leader in the area of pay equity.

- Research shows that workers stay longer and are more productive, when working for companies which treat them with dignity.
- A recent Harvard-Berkeley study showed that pay inequality decreased worker attendance, cooperation, and output.⁴
- Being up front about wages saves businesses time so that they are not interviewing candidates that will eventually turn them down. In addition to fairness, this is also about efficiency.⁵
- Salary ranges help employers including small businesses control their pay expenses and ensure pay equity among employees. It is critical that employers have rational explanations for why they pay their employees a certain rate, and defined salary ranges help accomplish that.⁶

¹ https://files.hawaii.gov/dbedt/economic/data_reports/DLIR/LFR_OCEW_ES2024FIRM.pdf

² <https://www.forbes.com/sites/josiec Cox/2024/03/20/pay-transparency-is-a-best-practice-in-corporate-america-study-finds/>

³ <https://www.shrm.org/topics-tools/news/all-things-work/pay-transparency-equity>

⁴ Emily Breza, Supreet Kaur & Yogita Shamdasanani 2016 "The Morale Effects of Pay Inequality," *NBER Working Papers*, National Bureau of Economic Research

⁵ Glassdoor, "Is Salary Transparency More Than a Trend", https://www.glassdoor.com/research/app/uploads/sites/2/2015/04/GD_Report_2.pdf

⁶ Society for Human Resource Management, "How to Establish Salary Range", <https://www.shrm.org/resourcesandtools/tools-and-samples/how-to-guides/pages/howtoestablishsalaryranges.aspx>

Please pass this measure so pay transparency, one of best employment practices, can be a reality for all employees in Hawai'i. Thank you for your consideration.

Sincerely,
Younghee Overly
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 4000 members and supporters across all four counties - Hawai'i, Honolulu, Kaula'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.



**House Committee on Consumer Protection & Commerce
Rep. Scot Matayoshi, Chair
Rep. Tina Grandinetti, Vice Chair**

March 3, 2026 at 2:00 P.M.

RE: HB 2367, HD1 Relating to Employment Earnings

Chair Matayoshi, Vice Chair Grandinetti, and Members of the Committee:

The Society for Human Resource Management – Hawaii (“SHRM Hawaii”) respectfully opposes HB 2367, HD1, Relating to Employment Earnings.

SHRM Hawai‘i respectfully opposes HB 2367, HD1, as currently drafted. While we support transparency and equitable pay practices, removing the existing exemption for employers with fewer than fifty employees creates significant operational and compliance burdens for small and mid-sized organizations. Many smaller employers in Hawai‘i do not have dedicated compensation analysts or in-house legal counsel; instead, HR responsibilities are often handled by a single professional—or even a business owner—managing multiple functions. Requiring formalized salary ranges for every full-time, part-time, temporary, or seasonal position demands technical compensation analysis, ongoing market benchmarking, and frequent updates that are resource-intensive and costly. For small employers already navigating Hawai‘i’s high cost of doing business, this mandate may be impractical and, in some cases, unworkable.

In addition, smaller organizations typically rely on flexible compensation structures that account for experience, specialized skills, and evolving business needs. Unlike large corporations with standardized pay bands, small employers must often tailor compensation to attract niche talent in a highly competitive labor market. Mandating rigid pre-disclosed salary ranges could inadvertently limit that flexibility, discourage negotiation, and reduce an employer’s ability to respond quickly to market conditions. It may also create employee relations challenges if ranges are misinterpreted without the broader context of total rewards, including bonuses, commissions, benefits, housing stipends, or other non-wage compensation that are particularly relevant in Hawai‘i’s unique economic environment.

Thank you for this opportunity to provide testimony in opposition to this measure.

Erin Kogen and Maggie Batangan
Co-chairs, SHRM Hawaii Legislative Affairs Committee



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



HAWAII APPLESEED

CENTER FOR LAW & ECONOMIC JUSTICE

Testimony of the Hawai'i Appleseed Center for Law and Economic Justice
HB2367 HD1 – Relating To Employment Earnings
House Committee on Consumer Protection & Commerce
Tuesday, March 3, 2026, at 2:00 PM, Conference Room 329 & Videoconference

Dear Chair Matayoshi, Vice Chair Grandinetti, and Members of the Committee,

Thank you for the opportunity to present testimony in strong support of HB2367. This bill closes a critical gap in our pay transparency law by requiring all employers—regardless of size—to disclose salary ranges in job listings. It is a data-driven, structural reform that addresses entrenched wage disparities and advances economic justice for Hawai'i's workers and families.

The Wage Gap in Hawai'i: Stubborn and Costly

Despite progress in recent decades, significant wage disparities persist in Hawai'i. According to the U.S. Bureau of Labor Statistics, Hawai'i women had median usual weekly earnings of \$797 in 2018, or just 82.6 percent of the \$965 median earnings of their male counterparts.¹ In 2023, the Bureau of Labor Statistics reported women in Hawai'i earned 82.4 percent of what men earned (\$902 vs. \$1,095).² For 2024, updated estimates place the ratio at approximately 87 percent (\$987 for women vs. \$1,138 for men).³

This is not simply a plateau; it is a backslide. Hawai'i women's earnings relative to men peaked at 92.8 percent in 2014 and have since fallen by more than five percentage points.⁴ Whatever progress we thought we were making is anything but consistent, and wage opacity is a significant part of the problem.

The Human and Economic Costs Are Staggering

These disparities are not abstract numbers; they represent real dollars stolen from families who can least afford to lose them. Our analysis of what equal pay would mean for Hawai'i's working women reveals profound impacts:

- **Poverty reduction:** If women earned the same pay as comparable men, the poverty rate among working women in Hawai'i would decrease by more than half—from 5.4

¹ "Highlights of women's earnings in 2018," U.S. Bureau of Labor Statistics, November 2019, <https://www.bls.gov/opub/reports/womens-earnings/2018/home.htm>

² Bureau of Labor Statistics, "Women's Earnings in Hawaii — 2023," October 17, 2024. [https://www.bls.gov/regions/west/news-release/womensearnings_hawaii.htm#:~:text=In%202023%2C%20Hawaii%20women%20who.chart%201%20and%20table%201.\)](https://www.bls.gov/regions/west/news-release/womensearnings_hawaii.htm#:~:text=In%202023%2C%20Hawaii%20women%20who.chart%201%20and%20table%201.))

³ USA Facts, "What is the current gender pay gap in Hawaii?" Retrieved February 18, 2026. <https://usafacts.org/answers/what-is-the-gender-pay-gap-in-the-us/state/hawaii/>

⁴ "Highlights of women's earnings in 2014," U.S. Bureau of Labor Statistics, November 2015, <https://www.bls.gov/opub/reports/womens-earnings/archive/highlights-of-womens-earnings-in-2014.pdf>

percent to just 2.5 percent.⁵

- **Single mothers:** The poverty rate for families headed by working single mothers would drop by close to half, from 21.3 percent to 10.7 percent.⁶
- **Working mothers:** More than 61 percent of working mothers would see increased earnings.⁷
- **Children:** The poverty rate among children of working mothers would fall by more than half, from 10.9 percent to 4.5 percent.⁸

These are not marginal improvements. They are transformative changes that would lift thousands of Hawai'i families out of poverty, reduce reliance on public assistance, and strengthen the economic security of communities across the state.

Why Transparency Matters

Pay transparency is a proven mechanism for addressing wage disparities. When compensation is hidden, disparities can persist unnoticed and unchallenged. Workers negotiating in the dark cannot know whether they are being offered fair wages. Women and people of color, who have historically been disadvantaged in wage negotiations, are disproportionately harmed by this information asymmetry.

HB2367 addresses this by requiring all employers to disclose salary ranges in job listings. This simple requirement:

- Empowers workers with information they need to negotiate from a position of knowledge.
- Exposes disparities that might otherwise remain hidden.
- Creates accountability for employers to justify their compensation practices.
- Accelerates progress toward closing wage gaps.

Closing the Exemption Gap

Current law exempts employers with fewer than 50 employees from salary range disclosure requirements. This exemption is not justified by evidence or equity. Small businesses employ a significant portion of Hawai'i's workforce, and workers in those jobs deserve the same access to information as workers at large corporations. Wage disparities are not confined to large employers, and neither should transparency requirements be.

HB2367 removes this exemption, ensuring that every job seeker in Hawai'i—regardless of where they apply—can see compensation upfront.

A Modest, Evidence-Based Intervention

⁵ "The Economic Impact of Equal Pay by State," Institute for Women's Policy Research, February 2015, <https://statusofwomendata.org/wp-content/uploads/2015/02/C457.pdf>

⁶ Ibid.

⁷ Ibid.

⁸ Ibid.

This bill imposes no burdensome new obligations. It simply requires that information employers already possess—the salary range they are willing to pay for a position—be shared with job applicants. Other states with similar requirements have seen smooth implementation and broad compliance. The evidence from those states shows that transparency laws narrow wage gaps, improve worker mobility, and strengthen labor market function.

Conclusion

The wage gap in Hawai'i is not inevitable. It is the result of policies and practices—including wage secrecy—that allow disparities to persist. HB2367 addresses one of the root causes of that gap and takes a meaningful step toward a fairer economy.

When women earn equal pay, poverty falls. When single mothers can support their families, children thrive. When workers have information, they have power. And when transparency is the rule, disparities are harder to hide.

We urge this committee to pass HB2367 and extend the promise of pay transparency to every worker in Hawai'i.

Mahalo for the opportunity to testify.



745 Fort St. Mall
17th Floor
Honolulu, HI 96815

808-521-9500
NFIB.com

March 2, 2026

TO: Rep. Scot Z. Matayoshi, Chair
Rep. Tina Nakada Grandinetti, Vice Chair
Members of the House Committee Consumer
Protection & Commerce

FR: Michael Iosua, State Director
NFIB, Hawaii Chapter

RE: **OPPOSITION** TO HB 2367, HD1 – RELATING TO EMPLOYMENT EARNINGS

Hearing date: March 3, 2026, at 2:00 PM

Aloha Chair Matayoshi, Vice Chair Grandinetti and members of the committee,

Mahalo for the opportunity to submit testimony on behalf of NFIB's Hawaii Chapter in **OPPOSITION** to HB 2367, HD1 – RELATING TO EMPLOYMENT EARNINGS. NFIB is a nonprofit, nonpartisan, and member-driven organization exclusively dedicated to small and independent businesses. With members in all four counties, NFIB's Hawaii chapter advocates on issues that affect Hawaii's small and independent business owners.

HB 2367, HD1 would amend HRS § 378-2.8 by removing the current exemption for businesses with fewer than fifty employees from the disclosure of compensation in job listings. This exemption that exists in current law acknowledges the limited administrative capacity of small businesses and the disproportionate cost that compliance imposes on enterprises with constrained resources.

Small businesses in Hawaii already face significant operational challenges, including high costs of doing business, tariffs and tight labor markets. Unlike other employers, many small businesses do not have dedicated HR departments or legal staff to manage an ever-expanding set of employment law requirements. The added obligation to document and update wage and salary ranges for every job posting, coupled with the risk of enforcement actions for errors, represents a substantial administrative burden and potential liability for small businesses. What may appear to be a simple disclosure requirement necessitates the development and ongoing

maintenance of formal compensation frameworks, systems for regular review of pay structures, and additional staff time and professional services — all of which carry costs that directly impact small businesses.

These burdens translate into higher compliance costs, additional time away from core business functions, and increased exposure to enforcement penalties. Particularly in Hawaii's tight labor market, small businesses compete for talent without the economies of scale enjoyed by larger employers. Mandating detailed pay disclosures for employers that are not equipped to comply will discourage hiring and remove the opportunity to grow the business. Some small businesses may choose to reduce staffing, refrain from creating new positions, or in the worst cases, shut down entirely rather than navigate an expanded regulatory landscape.

The current exemption for employers with fewer than 50 employees is a sensible balance between promoting transparency and recognizing the capacity limitations of small enterprises. For these reasons, we respectfully urge the Committee to defer HB 2367, HD1 and help to protect small businesses.



March 2, 2026

Representative Scot Z. Matayoshi, Chair
Representative Tina Nakada Grandinetti, Vice Chair
Committee on Consumer Protection & Commerce

Re: H.B. 2367 HD1, Relating to Employment Earnings

Hearing: Tuesday, March 3, 2026, 2:00 PM, Conference Room 329 & Videoconference

Dear Chair Matayoshi, Vice Chair Grandinetti, and the Members of the Committee on Consumer Protection & Commerce:

Hawaii Women Lawyers is a lawyer's trade organization that aims to improve the lives and careers of women in all aspects of the legal profession, influence the future of the legal profession, and enhance the status of women and promote equal opportunities for all.

Hawaii Women Lawyers submits testimony in support of H.B. 2367 HD1, which expands Hawaii's existing pay transparency framework by requiring employers of covered employees to disclose salary ranges or hourly rates, and broadening pay range disclosure requirements to include employers with fewer than 50 employees.

Pay transparency is a critical tool in addressing persistent wage disparities, which disproportionately impact women. According to the University of Hawaii Economic Research Organization, women in Hawaii earn 86 cents for every dollar earned by men.¹ Hawaii's gender pay gap persists across occupations and at every level of educational attainment.

Expanding the pay disclosure requirement would provide Hawaii workers with greater clarity and confidence about compensation. The National Women's Law Center found that pay transparency helps to reduce the gender pay gap by providing applicants with information to make more informed decisions about jobs and encouraging employers to proactively evaluate compensation practices.² Increasing pay transparency is a practical step toward advancing equal pay and greater economic security.

For the above reasons, we support H.B. 2367 HD1 and respectfully request that the Committee pass this measure.

Thank you for the opportunity to testify in support of this measure.

¹ RACHEL INAFUKU, UNIVERSITY OF HAWAII ECONOMIC RESEARCH ORGANIZATION, EXPLORING THE GENDER PAY GAP IN HAWAII 1 (2024), <https://uhero.hawaii.edu/wp-content/uploads/2024/05/ExploringGenderPayGapInHawaii.pdf>.

² NATIONAL WOMEN'S LAW CENTER, PAY RANGE TRANSPARENCY IS CRITICAL FOR DRIVING PAY EQUITY (2024), <https://nwlcc.org/wp-content/uploads/2024/03/Pay-Range-Transparency-2024v2.pdf>



MAUI
CHAMBER OF COMMERCE
VOICE OF BUSINESS

**HEARING BEFORE THE HOUSE COMMITTEE ON
CONSUMER PROTECTION & COMMERCE
HAWAII STATE CAPITOL, HOUSE CONFERENCE ROOM 329
TUESDAY, MARCH 3, 2026 AT 2:00 P.M.**

To The Honorable Representative Scot Z. Matayoshi, Chair
The Honorable Representative Tina Nakada Grandinetti, Vice Chair
Members of the Committee on Consumer Protection & Commerce

OPPOSE HB2367 HD1 RELATING TO EMPLOYMENT EARNINGS

The Maui Chamber of Commerce opposes HB2367 HD1 that requires job listings to include an hourly rate or salary range. While we understand the intent of this bill, we are concerned that it will have unintended negative consequences.

In hiring, businesses often need flexibility in pay ranges so they can negotiate compensation packages and make adjustments based on skill level and previous experience, neither of which you have prior to posting the job.

Additionally, it may reduce the number of job seekers an employer could receive as pay ranges alone do not account for benefits, job perks, and company culture, as well as hinder job seekers applying for positions that may provide valuable experience and opportunities for promotion and advancement.

Given workforce shortages and changing worker priorities, we already see many employers posting their pay and salary ranges up front and prior to scheduling interviews, but understand why others do not.

Mahalo for the opportunity to provide testimony on HB2367 HD1.

Sincerely,

Pamela Tumpap
President

To advance and promote a healthy economic environment for business, advocating for a responsive government and quality education, while preserving Maui's unique community characteristics.



Fujiwara & Rosenbaum, L.L.L.C.

*Alahea Corporate Tower
1100 Alahea St., Fl. 20, Suite B
Honolulu, Hawaii 96813*

HOUSE COMMITTEE ON CONSUMER PROTECTION & COMMERCE

Date: Tuesday, March 3, 2026, 2:00 PM Conf. Rm. 329

Re: Fujiwara & Rosenbaum Testimony in **STRONG SUPPORT** of **H.B. No. 2367, H.D. 1, Relating to Employment Earnings**

Dear Chair Matayoshi, Vice-Chair Grandinetti and Members of the Committee:

Fujiwara & Rosenbaum, L.L.L.C., respectfully submits this testimony in **strong support** of H.B. No. 2367, H.D. 1, which would require all employers in Hawai'i to disclose hourly rates or salary ranges in job listings for covered employees, removing the current exemption for employers with fewer than fifty employees.

Our firm has spent nearly forty years advocating for the civil rights of workers throughout Hawai'i. Our extensive experience litigating employment discrimination claims under HRS Chapter 378 provides us with a unique perspective on the importance of statutory consistency within Hawai'i's civil rights framework.

We commend the House Committee on Labor for adopting the H.D. 1 amendments and urge this Committee to pass this measure with one critical modification: an immediate effective date.

I. THE H.D. 1 AMENDMENTS REPRESENT IMPORTANT PROGRESS

A. Expansion to All Employers and Job Categories

We applaud the Committee on Labor's decision to remove the 50-employee exemption and extend pay disclosure requirements to all employers with at least one covered employee in Hawai'i. This change aligns HRS § 378-2.8 with the definition of "employer" in HRS § 378-1, which applies to "any person... having one or more employees." The 50-employee exemption was the only provision in Part I of Chapter 378 that carved out small employers from coverage, creating an anomaly that undermined statutory consistency.

B. The New "Covered Employee" Definition

We also commend the addition of a clear definition of "covered employee" as "full-time, part-time, temporary, or seasonal employee." This definition provides needed clarity for employers and ensures comprehensive coverage across all job categories, leaving no workers behind.

C. The Committee on Labor's Findings

The Committee on Labor correctly found that "wage transparency is a critical tool for addressing pay inequities and reducing information barriers that disadvantage job seekers entering the workforce." The Committee further recognized that "extending pay disclosure requirements to all employers and all job categories will promote fairer hiring practices and strengthen wage equity statewide."

II. THE EFFECTIVE DATE MUST BE CHANGED TO PROVIDE IMMEDIATE PROTECTION

While the substantive amendments in H.D. 1 are excellent, the placeholder effective date of July 1, 3000, must be replaced with an immediate or near-term effective date. Hawai'i workers cannot wait nearly a millennium for pay transparency protections that should have applied to all employers from the beginning.

A. Wage Disparities Are Harming Workers Now

Every day that passes without universal pay transparency is another day that discriminatory pay practices remain hidden from view. Workers in Hawai'i continue to face wage disparities based on race, sex, disability, age, and national origin. These disparities are not theoretical; they are documented, persistent, and harmful.

Women in Hawai'i earn approximately 83 cents for every dollar earned by men. Native Hawaiian and Pacific Islander workers face significant wage gaps compared to their white counterparts. Workers with disabilities earn substantially less than workers without disabilities. Older workers are often offered lower salaries based on assumptions about their needs or productivity. These disparities affect real families, real communities, and real lives.

Pay transparency is one of the most effective tools for identifying and eliminating discriminatory pay practices. When job seekers know the expected salary range before applying, they can make informed decisions about employment opportunities. When workers can compare their compensation to posted ranges for similar positions, they can identify potential discrimination. When employers must disclose salary ranges, they are incentivized to ensure their compensation practices are fair and defensible.

B. Delay Perpetuates Existing Inequities

The Committee on Labor found that existing exemptions "limit[] transparency and prevent[] applicants from making informed decisions about employment opportunities." This harm compounds over time. A worker who accepts a position without knowing the salary range may start at a lower wage than similarly situated colleagues. That initial disparity follows the worker throughout their career, affecting raises, promotions, and retirement savings. Studies consistently show that early-career wage gaps grow larger over time rather than correcting themselves.

For workers at small employers, where the majority of Hawai'i's workforce is employed, this harm has been ongoing since HRS § 378-2.8 took effect on January 1, 2024. More than two years have passed with these workers denied the pay transparency protections afforded to workers at larger employers. Every additional day of delay extends this inequity.

C. Hawai'i's Civil Rights Framework Demands Urgency

HRS § 368-1 declares that "the practice of discrimination because of race, color, religion, age, sex, including gender identity or expression, sexual orientation, marital status, national origin, ancestry, or disability in employment... is against public policy." This declaration is not aspirational; it is a mandate. When the Legislature identifies a gap in civil rights protection, it should act to close that gap promptly.

The Hawai'i Supreme Court has recognized that the Legislature "intended all employers, regardless of size, to be subject to the provisions of this chapter." **Sam Teague, Ltd. v. Hawai'i Civil Rights Commission**, 89 Haw. 269, 971 P.2d 1104 (1999). The H.D. 1 amendments finally bring HRS § 378-2.8 into alignment with this intent. But that alignment means nothing if the effective date prevents workers from benefiting from these protections during their working lives.

D. A Reasonable Effective Date Is Achievable

We respectfully urge the Committee to amend H.D. 1 to provide an effective date of January 1, 2027, consistent with the original bill. This date provides employers with adequate time to update their job posting practices while ensuring that workers receive these protections without undue delay.

The pay transparency requirement is not burdensome. Employers already determine salary ranges when budgeting for positions and making offers. The requirement simply asks employers to share this information with job seekers at the outset of the application process. Employers with fifty or more employees have been complying with this requirement since January 2024; there is no reason smaller employers cannot do the same.

III. STATUTORY CONSISTENCY SUPPORTS IMMEDIATE EFFECTIVENESS

HRS § 378-2.8 is now the only provision in Part I of Chapter 378 that carves out small employers from coverage. Every other anti-discrimination protection in Chapter 378 applies to all employers with one or more employees:

- The prohibition on discriminatory practices (HRS § 378-2) applies to all employers.
- The prohibition of nondisclosure agreements in sexual harassment or sexual assault cases (HRS § 378-2.2) applies to all employers.
- The equal pay protections (HRS § 378-2.3) apply to all employers.
- The salary history ban (HRS § 378-2.4) applies to all employers.
- The fair-chance hiring provisions (HRS § 378-2.5) apply to all employers.

These protections did not require extended phase-in periods for small employers. The Legislature recognized that civil rights protections should apply universally and immediately. The same principle should apply to pay transparency.

IV. CONCLUSION

Fujiwara & Rosenbaum has seen firsthand how discriminatory pay practices harm workers and their families. Pay transparency is an essential tool for identifying and eliminating these practices.

We urge this Committee to pass H.B. No. 2367, H.D. 1 with an amended effective date of January 1, 2027. Workers at small employers have waited long enough. Pay disparities based on race, sex, disability, age, and national origin continue to harm Hawai'i families every day. The time for universal pay transparency is now.

Thank you for this opportunity to testify.

[Addressee - Header]

March 2, 2026

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HB-2367-HD-1

Submitted on: 2/27/2026 2:42:08 PM

Testimony for CPC on 3/3/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sandy Ma	Individual	Support	Written Testimony Only

Comments:

Dear Chair Matayoshi, Vice Chair Grandinetti, and Members of the House Consumer Protection & Commerce Committee,

I am a member of AAUW of Hawai‘i and I am testifying in support of HB 2367, HD1, which would (1) require hourly rate or salary ranges to be disclosed on job listings for full-time, part-time, temporary, or seasonal employees and (2) remove the exemption for employers having fewer than fifty employees.

HB 2367, HD1 is necessary to eliminate the wage gap in Hawai‘i. Despite, in 2023, Act 203 being passed requiring employers with fifty or more employees to make wage range information available in job listings, the gender pay gap is still present in 74% of jobs in Hawai‘i. See <https://manoa.hawaii.edu/news/article.php?aId=13272> (retrieved Feb. 17, 2026).

The pay transparency requirement of Act 203 (2023) does not reach one-third of the workforce, who work for businesses with 49 or fewer employees. See https://files.hawaii.gov/dbedt/economic/data_reports/DLIR/LFR_QCEW_ES2024FIRM.pdf (retrieved Feb. 17, 2026).

Thus, it is clear that HB 2367, HD1 is necessary to close the gender pay gap and support a more equitable society.

Thank you for hearing HB 2367, HD1, and I respectfully ask you to pass this measure out of your committee.

Sandy Ma

HB-2367-HD-1

Submitted on: 2/27/2026 7:53:08 PM

Testimony for CPC on 3/3/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Elizabeth Hansen	Individual	Support	Written Testimony Only

Comments:

Please support this bill. Pay transparency is good for all employees and employers, regardless of the size of the business. Please remove the exemption for all employers. Mahalo

Elizabeth Hansen/ Hakalau HI 96710

HB-2367-HD-1

Submitted on: 2/27/2026 8:35:24 PM

Testimony for CPC on 3/3/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Beth Anderson	Individual	Support	Written Testimony Only

Comments:

Pay transparency is good for all employees and employers regardless of the size of the business. Please remove the exemption for all employers as HB2367 does.

The gender gap regarding pay equity still exists in Hawaii, despite the fact progress has been made in women's labor participation. This bill will help close that gap. Women working full-time in Hawai'i earned 87.54% of what men earned in 2023 and gender pay gap is present in 74% of jobs in Hawai'i.

Hawai'i is considered as a state with moderate equal pay protection. Hawaii has led in other areas of civil rights and equity. It should become a leader in the area of pay equity, too.

Pay inequality leads to positive results for employers. Research shows that workers stay longer and are more productive, when working for companies which treat them with dignity. A recent Harvard-Berkeley study showed that pay inequality decreased worker attendance, cooperation, and output.

Thank you for considering my views,

Beth Anderson

Kailua, Oahu

Hearing Date: Tuesday, March 3, 2026 2:00 PM, Room 329

**To: Committee on Consumer Protection & Commerce
Rep. Scot Z. Matayoshi, Chair
Rep. Tina Nakada Grandinetti, Vice Chair**

Re: TESTIMONY IN SUPPORT OF HB

**Re: TESTIMONY IN SUPPORT OF HB 2367, HD1 RELATING TO
EMPLOYMENT EARNINGS**

Dear Chair Matayoshi, Vice Chair Grandinetti, and the Members of the Committee:

My name is Jean Evans. I retired after 40 years holding executive positions in Hawaii non-profit agencies. In these positions I have interviewed and hired hundreds of applicants. I am also a member of AAUW Hawaii.

I strongly support of HB 2367, HD1 Relating to Employment Earnings

HB 2367, HD1 expands equal pay protections in Hawaii. It builds upon Act 203 that was passed in 2023, which requires employers with fifty (50) or more employees to make wage range information available in job listings. This measure expands that requirement to all employers and all employees.

It is well documented that there remains a large gap in gender pay across the nation and in Hawaii where women earned only 87.54% of what men earned in 2023. This pay-gap hits women especially hard here in Hawaii with our notoriously high cost of living often making it very difficult to make ends meet.

According to DBED (Hawaii Department of Business, Economic Development and Tourism) 20% of workforce (or 159,113 workers) work for businesses with 19 or fewer employees. Many of these jobs are in the service and non-profit sectors. Non-profit agencies in Hawaii have historically offered low salaries which did not reflect the level of education, experience and responsibility associated with the positions. These agencies, which were predominately filled by females with a few male top executives, were seen as helping and giving organizations and so perpetuated the idea that the women should work for lower wages for the good of the community. Slowly this mind-set is changing to reflect a more professional attitude toward the non-profit workforce. However, this change has been slow and contributes to the state-wide wage gap.

Over the years I have held two executive director positions in agencies with fewer than 24 employees here in Hawaii. When I applied for the first one, I had no idea of the salary range, or even if there was one. When I inquired about the salary I was told only that it was “flexible”. That response did not give me a clue as to what to expect. Only after being in that position, with a salary I thought fair, did I discover to my dismay and embarrassment that my predecessor’s salary was over **twice** what mine was. The offered salary amount seemed arbitrary and unfair and got me looking for positions elsewhere. This situation continues today.

As an executive seeking to hire qualified people, I interviewed many good candidates only to find out that their salary requirements were higher than I could offer. If I had been required to post the ranges I could have saved their time and mine. Based on the budget, I knew what the salary ranges were, but formally posting those was not the customary way recruitment was done. I realize now that compensation transparency would have helped me both as an employer and employee.

Employee turnover continues to be a problem in Hawaii, especially when unemployment is low. This bill is an important step in reducing turnover by ensuring competitive salaries, equal treatment, and assisting employers to control their expenses with set pay ranges.

Employers always complain about new requirements. I certainly did, but I also found that most times what we really needed was a nudge to make the change and often found that the change resulted in improvements in efficiency, safety or fairness, and made good business sense.

Let Hawaii become a leader in the area of salary transparency by passing this legislation as another step toward leveling salary discrepancies and retaining talented employees. I see this measure as a win for both employers and employees. I encourage your support for this bill.

Mahalo for allowing me to submit my testimony today.

HB-2367-HD-1

Submitted on: 2/28/2026 6:10:06 PM

Testimony for CPC on 3/3/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Karen Takamine	Individual	Support	Written Testimony Only

Comments:

I support HB2367! I don't want to waste my time applying and interviewing for a position only to find out that the company's compensation package is a joke.

HB-2367-HD-1

Submitted on: 2/28/2026 8:26:33 PM

Testimony for CPC on 3/3/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Erika Cabell	Individual	Support	Written Testimony Only

Comments:

Pay transparency is good for all employees and employers regardless of the size of the business.

HB-2367-HD-1

Submitted on: 3/1/2026 12:32:06 PM

Testimony for CPC on 3/3/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
William Caron	Individual	Support	Written Testimony Only

Comments:

Aloha Chair, Vice Chair, and members of the committee,

I am testifying in strong support of HB2367, which requires all employers—regardless of size—to disclose hourly rates or salary ranges in job listings for full-time, part-time, temporary, or seasonal positions. This bill closes a critical gap in our current pay transparency law and takes a meaningful step toward a fairer, more equitable labor market in Hawai‘i.

Why Pay Transparency Matters

In Hawai‘i's economy, small differences in pay can mean the difference between stability and precarity. A few thousand dollars more or less per year determines whether a family can afford rent, cover child care, or save for emergencies. Yet too many workers are forced to negotiate for wages without basic information about what a job actually pays.

This information asymmetry is not neutral. It concentrates leverage with employers and forces workers to bargain in the dark. When you do not know the salary range for a position, you cannot know whether an offer is fair. You cannot compare opportunities across employers. You cannot advocate for yourself effectively. And you are far more likely to accept less than you are worth—simply because you lack the information to know otherwise.

The Current Exemption Leaves Workers Behind

Under current law, employers with fewer than 50 employees are exempt from salary range disclosure requirements. This exemption is not minor; it excludes a significant portion of Hawai‘i's workforce from the protections of pay transparency. Small businesses are not inherently fairer than large ones, and workers in small enterprises deserve the same access to information as workers at large corporations.

HB2367 removes this exemption and ensures that **every** job seeker in Hawai‘i—regardless of where they apply—can see compensation upfront.

Transparency Is Structural Reform

Pay transparency is not a minor administrative change; it is structural reform that reshapes power dynamics in the labor market. When workers can see compensation upfront:

- They can compare offers across employers and make informed decisions.
- They can negotiate from a position of knowledge, not guesswork.
- They can avoid exploitative arrangements that undermine family stability.
- They can identify disparities and advocate for fair treatment.

This matters for everyone, but it matters most for groups that have historically been disadvantaged in wage negotiations. Women, people of color, and low-wage workers are disproportionately harmed by wage opacity. Pay secrecy allows disparities to persist unchecked. Transparency exposes them to light and creates accountability.

What the Research Shows

Studies of pay transparency laws in other states have demonstrated clear benefits:

- **Narrowing wage gaps:** Transparency reduces pay disparities by gender and race, as hidden inequities become visible and actionable.
- **Increasing worker mobility:** When workers can see what jobs pay, they can identify better opportunities and move to higher-paying positions.
- **Improving negotiation outcomes:** Workers with salary information negotiate more effectively and secure better compensation.
- **Reducing information asymmetry:** The balance of power in hiring shifts slightly toward workers, creating a more functional labor market.

A Modest, Common-Sense Requirement

HB2367 imposes no burdensome new obligations on employers. It simply requires that information employers already have—the range they are willing to pay for a position—be shared with job applicants. This is information workers need to make basic decisions about their lives and livelihoods.

The bill covers all employment types: full-time, part-time, temporary, and seasonal. Every worker deserves to know what a job pays before they invest time in applying, interviewing, and negotiating.

Opposition Arguments Do Not Withstand Scrutiny

Some may argue that salary ranges limit flexibility or that small businesses cannot comply. These concerns are overstated. Salary ranges can be broad enough to accommodate experience and qualifications. And if an employer genuinely does not know what they will pay, that itself is a problem—one that transparency would help resolve.

Other states with similar requirements have seen smooth implementation and broad compliance. Hawai‘i can and should follow their lead.

Conclusion

HB2367 is a straightforward, evidence-based reform that strengthens Hawai'i's labor market and supports working families. It removes an arbitrary exemption, ensures all workers have access to basic compensation information, and moves us toward a system where economic opportunity is shaped by clarity and accountability, not secrecy and guesswork.

When workers can see what jobs pay, they can make better decisions for themselves and their families. When wages are transparent, disparities are harder to hide. When information is shared, power is shared.

I urge this committee to pass HB2367 and extend pay transparency to every worker in Hawai'i.

Mahalo for the opportunity to testify.

HB-2367-HD-1

Submitted on: 3/1/2026 5:32:18 PM

Testimony for CPC on 3/3/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Janet Morse	Individual	Support	Written Testimony Only

Comments:

[HB2367 HD1](#)

- Act 203 of 2023 requires employers with fifty or more employees to make wage range information available in job listings
- [HB2367](#) removes the exemption for employers having fewer than fifty employees.
- This does not help one-third of the workforce who work for businesses with 49 or fewer employees,
- Pay transparency is good for all employees and employers regardless of the size of the business,
- Please pass [HB2367](#) with an amendment to require all employers to make wage range information available in job listings
- Thank you for the opportunity to express my support.
- Janet Morse, Kaneohe
- Member AAUW Hawaii

COMMITTEE ON CONSUMER PROTECTION & COMMERCE
Rep. Scot Z. Matayoshi, Chair
Rep. Tina Nakada Grandinetti, Vice Chair

HEARING:

Tuesday, March 3, 2026 at 2:00 pm
Conference Room 329 and Via Videoconference
State Capitol
415 South Beretania Street

TESTIMONY IN SUPPORT OF HB 2367, HD1 - RELATING TO EMPLOYMENT EARNINGS.

Aloha Chair Matayoshi, Vice Chair Nakada Grandinetti, 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 2367, HD1**, Relating to Employment Earnings, which requires hourly rate or salary ranges to be disclosed on job listings for full-time, part-time, temporary, or seasonal employees, and removes the exemption for employers having fewer than fifty employees.

I worked on gender equity in STEM as a workforce development for many years, and wrote over ten peer-reviewed papers on best practices in the field. I also owned a small business on Maui for over 23 years and understand that the outcomes intended by HB 2367, HD1 place no burden on employers, while benefiting employees and improving pay equity.

The goal of this bill is to establish Hawaii as a leader in the field of pay equity, as Hawaii has led the way in civil rights. The gender pay gap persists despite progress made in women's labor participation. Women working full-time in Hawai'i earned 87.54% of what men earned in 2023¹ and gender pay gap is present in 74% of jobs in Hawai'i². Hawai'i is considered as a state with moderate equal pay protection³. California, Colorado, Illinois, Maryland, Massachusetts, New Jersey, New York, Oregon, and Washington are considered as states with strong equal pay protection. While passage of Act 203 in 2023 was a big step towards ensuring pay equity, this bill would increase pay transparency for all employers and provide a strong equal pay protection with a minimal cost or disruption to employers.

While Act 203 of 2023 requires employers with fifty or more employees to make wage range information available in job listings to encourage pay equity, HB 2367, HD1 builds upon this to require all employers to make wage range information available in job listings.

Please consider the following research in support of this measure:

- Pay transparency has become a best practice according to a study by Payscale⁴
- Pay transparency required by Act 203 of 2023 doesn't help one-third of the workforce who work for businesses with 49 or fewer employees, according to DBEDT⁵
 - o 20% of workforce work for businesses with 19 or fewer employees
- 82% of U.S. workers are more likely to consider applying for a job if pay range is included in the job posting according to a study by Society of Human Resource Management⁶

¹ <https://www.aauw.org/resources/article/gender-pay-gap-by-state/>

² <https://manoa.hawaii.edu/news/article.php?aId=13272>

³ https://www.aauw.org/app/uploads/2020/10/SimpleTruth_States_2020update.pdf

⁴ <https://www.forbes.com/sites/josiecox/2024/03/20/pay-transparency-is-a-best-practice-in-corporate-america-study-finds/>

⁵ https://files.hawaii.gov/dbedt/economic/data_reports/DLIR/LFR_QCEW_ES2024FIRM.pdf

⁶ <https://www.shrm.org/topics-tools/news/all-things-work/pay-transparency-equity>

- Research shows that workers stay longer and are more productive, when working for companies which treat them with dignity. A recent Harvard-Berkeley study showed that pay inequality decreased worker attendance, cooperation, and output.⁷
- Being up front about wages saves businesses time so that they are not interviewing candidates that will eventually turn them down. In addition to fairness, this is also about efficiency.⁸
- Salary ranges help employers control their pay expenses and ensure pay equity among employees. It is critical that employers have rational explanations for why they pay their employees a certain rate, and defined salary ranges help accomplish that.⁹
- Gender pay gap penalizes all households in Hawaii, since many households rely on the paychecks of more than one household member. Gender pay gap penalizes children excessively, because many children reside in female-headed households. If the \$11,067 annual gender pay gap is eliminated, a working woman in Hawaii would have enough money to purchase 6 months of rent, 10 months of healthcare premium, and 9.6 months of child care¹⁰.

Based upon my experience promoting best practices in equity and as a small business owner for over 23 years, I ask that you **vote in support of HB 2367, HD1**. Thank you for holding a hearing on this important measure.

Christine L. Andrews, J.D.
Wailuku, Maui

⁷ Emily Breza, Supreet Kaur & Yogita Shamdasanani 2016 “The Morale Effects of Pay Inequality,” *NBER Working Papers*, National Bureau of Economic Research

⁸ Glassdoor, “Is Salary Transparency More Than a Trend”,
https://www.glassdoor.com/research/app/uploads/sites/2/2015/04/GD_Report_2.pdf

⁹ Society for Human Resource Management, “How to Establish Salary Range”,
<https://www.shrm.org/resourcesandtools/tools-and-samples/how-to-guides/pages/howtoestablishsalaryranges.aspx>

¹⁰ <https://nationalpartnership.org/report/wage-gap/>

LATE

HB-2367-HD-1

Submitted on: 3/2/2026 3:46:40 PM

Testimony for CPC on 3/3/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Marcia A Armstrong	Individual	Support	Written Testimony Only

Comments:

Thank you for supporting HB2367

LATE

HB-2367-HD-1

Submitted on: 3/2/2026 6:42:08 PM

Testimony for CPC on 3/3/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Anna Ezzy	Individual	Support	Written Testimony Only

Comments:

My name is Anna Ezzy, and I am in support of this measure. Pay transparency is good for all employees and employers regardless of the size of the business.