

STAND. COM. REP. NO.

1681

Honolulu, Hawaii

MAR 22

, 2019

RE: S.B. No. 1048
S.D. 1
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirtieth State Legislature
Regular Session of 2019
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 1048, S.D. 1, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO SEXUAL HARASSMENT,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Make confidentiality clauses in employment agreements or contracts unenforceable as to sexual harassment claims unless included in a specific legal settlement or as provided by federal law;
- (2) Prohibit mandatory arbitration of sexual harassment claims, and make agreements for mandatory arbitration of sexual harassment claims unenforceable; and
- (3) Make confidentiality clauses in arbitration agreements unenforceable unless included in a specific legal settlement or as otherwise provided by federal law.

The Hawai'i State Commission on the Status of Women, Aloha State Association of the Deaf, Rainbow Family 808, Planned Parenthood Votes Northwest and Hawaii, Hawaii Women's Coalition, and a few individuals testified in support of this measure. The

SB1048 HD1 HSCR JUD HMS 2019-3448



Hawai'i Civil Rights Commission and Hawai'i Women Lawyers provided comments.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1048, S.D. 1, H.D. 1, and recommends that it be referred to your Committee on Finance.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



CHRIS LEE, Chair



