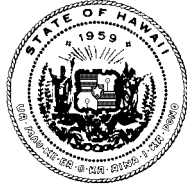


DAVID Y. IGE
GOVERNOR



PANKAJ BHANOT
DIRECTOR

CATHY BETTS
DEPUTY DIRECTOR

STATE OF HAWAII
DEPARTMENT OF HUMAN SERVICES
P. O. Box 339
Honolulu, Hawaii 96809-0339

March 7, 2020

TO: The Honorable Senator Brian T. Taniguchi, Chair
Senate Committee on Labor, Culture and the Arts

FROM: Pankaj Bhanot, Director

SUBJECT: **HB 2148 HD1 - Relating to Family Leave**

Hearing: March 10, 2020, 2:45 p.m.
Conference Room 224, State Capitol

DEPARTMENT'S POSITION: The Department of Human Services (DHS) supports this bill that will provide job protection for employees who must care for their grandchildren with a serious health condition. DHS appreciates the amendments of the Committee on Labor & Public Employment.

PURPOSE: Extends Hawaii family leave to include care for employees' grandchildren. Defines "sibling." Amends the definition of "child" to include grandchildren. Takes effect on January 1, 2050. (HD1)

DHS recognizes that Hawaii has the highest cost of living, one of the highest costs of housing, and the highest percentage of multi-generational households. Multi-generational caregiving responsibilities are primarily performed by working or employable family members, and families struggle with the decision to care for family members or forego income. The proposal reflects positive responsive change, recognizing Hawaii's multi-generational families may need additional job protections to care for their grandchildren suffering from a serious health condition.

AN EQUAL OPPORTUNITY AGENCY

This bill aligns with the department's 'Ohana Nui framework, which employs a multi-generational lens to human services delivery. The approach addresses the needs of children, parents, and grandparents early and concurrently, resulting in better outcomes for the family. Assessing and prioritizing the needs of the entire family to identify interventions and solutions is a major shift from the traditional siloed approach of government services.

DHS appreciates the Legislature's focus on expanding unpaid leave for family members and notes that this positive change in our leave laws will reduce certain stressors for caregivers to focus on the needs of their family members.

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



**STATE OF HAWAII
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS**

830 PUNCHBOWL STREET, ROOM 321
HONOLULU, HAWAII 96813

www.labor.hawaii.gov
Phone: (808) 586-8844 / Fax: (808) 586-9099
Email: dlir.director@hawaii.gov

March 10, 2020

To: The Honorable Brian T. Taniguchi, Chair,
The Honorable Les Ihara, Jr., Vice Chair, and
Members of the Senate Committee on Labor, Culture and the Arts

Date: Tuesday, March 10, 2020
Time: 2:45 p.m.
Place: Conference Room 224, State Capitol

From: Scott T. Murakami, Director
Department of Labor and Industrial Relations (DLIR)

Re: H.B. No. 2148 H.D. 1 RELATING TO FAMILY LEAVE

I. OVERVIEW OF PROPOSED LEGISLATION

HB2148 HD1 proposes to amend Section 398-1, Hawaii Revised Statutes (HRS), by adding a new definition for "sibling" and amending the definition of "child" to include grandchild.

The DLIR supports this measure.

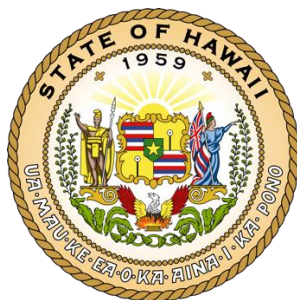
II. CURRENT LAW

The Hawaii Family Leave Law (HFLL), Chapter 398, HRS, provides for four weeks of family leave for employees of employers with 100 or more employees, upon the birth of a child of the employee or adoption of a child, or to care for the employee's child, spouse, reciprocal beneficiary, sibling, or parent with a serious health condition.

III. COMMENTS ON THE HOUSE BILL

This measure extends protected leave under the HFLL to include care for a grandchild. The addition of a definition for "sibling" will facilitate with the HFLL as the Department has received inquiries about the term.

The Department notes that if this measure is enacted into law as drafted, it does not foresee a significant impact on staffing or resources.



‘O kēia ‘ōlelo hō’ike no ke
Komikina Kūlana Olakino o Nā Wāhine

Testimony on behalf of the
Hawai‘i State Commission on the Status of Women

Prepared for the Senate Committee on LCA

In Support of HB2148 HD1
Tuesday, March 10, 2020, at 2:45 p.m. in Room 224

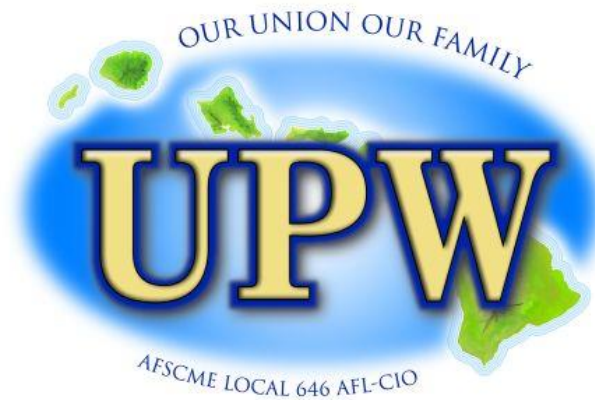
Dear Chair Taniguchi, Vice Chair Ihara, and Honorable Members,

The Hawai‘i State Commission on the Status of Women supports HB2148 HD1 relating to family leave. This measure, if passed, would broaden coverage of Hawai‘i’s *unpaid* family leave law to include care for employee’s grandchildren.

The Commission recognizes that Hawai‘i ranks first in the nation for multigenerational families, and that there is a growing trend of grandparents acting as primary caregivers for their grandchildren. Currently, Hawai‘i’s family leave law does not allow grandparents to take protected leave to take care of their grandchildren. By allowing grandparents protected leave, this proposal would better align policy with the realities of Hawai‘i’s families. The Commission is also cognizant that unpaid leave is a non-benefit for many employees in Hawai‘i, who do not have enough savings to forego even one paycheck.

Accordingly, the Commission asks the Legislature to adopt a paid family leave program and the Committee to pass this measure.

Sincerely,
Khara Jabola-Carolus
Executive Director



THE HAWAII STATE SENATE

The Thirtieth Legislature
Regular Session of 2020

COMMITTEE ON LABOR, CULTURE AND THE ARTS

Senator Brian T. Taniguchi, Chair
Senator Less Ihara, Jr., Vice Chair

Date of Hearing: Tuesday, March 10, 2020
Time of Hearing: 2:45 p.m.
Place of Hearing: Conference Room 224
State Capitol
415 South Beretania Street

TESTIMONY ON HB2148, HD1 RELATING TO FAMILY LEAVE

By DAYTON M. NAKANELUA,
State Director of the United Public Workers,
AFSCME Local 646, AFL-CIO ("UPW")

The UPW is the exclusive bargaining representative for approximately 13,000 public employees, which include blue collar, non-supervisory employees in Bargaining Unit 01 and institutional, health and correctional employees in Bargaining Unit 10, in the State of Hawaii and four counties. The UPW also represents about 1,500 members in the private sector.

HB2148 HD1 extends Hawaii family leave to include care for employees' grandchildren. It amends the definition of "child" to include grandchildren. Families today include more than two generations of people because of the cost of living, lack of affordable housing, two parents working and a family-oriented culture. Grandchildren need to be cared for.

The UPW strongly supports this measure.

Thank you for the opportunity to submit this testimony.

HB-2148-HD-1

Submitted on: 3/8/2020 2:27:40 PM

Testimony for LCA on 3/10/2020 2:45:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
cheryl B.	Individual	Support	Yes

Comments:

I support. There are so many people here who are raising their `ohana. It is important that we support them as we can.



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Executive Officers

Joe Carter, Coca-Cola Bottling of Hawaii, *Chair*
Charlie Gustafson, Tamura Super Market, *Vice Chair*
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Lauren Zirbel, HFIA, *Executive Director*
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Stan Brown, Acosta Sales & Marketing, *Advisor*
Paul Kosasa, ABC Stores, *Advisor*
Derek Kurisu, KTA Superstores, *Advisor*
Beau Oshiro, C&S Wholesale Grocers, *Advisor*
Toby Taniguchi, KTA Superstores, *Advisor*

TO:

Committee on Labor, Culture, and the Arts
Senator Brian T. Taniguchi, Chair
Senator Les Ihara, Jr., Vice Chair

FROM: HAWAII FOOD INDUSTRY ASSOCIATION
Lauren Zirbel, Executive Director

DATE: March 10, 2020
TIME: 2:45pm
PLACE: Conference Room 224

RE: HB2148 HD1 Relating to Family Leave

Position: Comments

The Hawaii Food Industry Association is comprised of two hundred member companies representing retailers, suppliers, producers, and distributors of food and beverage related products in the State of Hawaii.

Our member companies appreciate that some employees may sometimes need to take time off for reasons that are not currently mandated. These companies work with their employees to figure out scheduling that works for them. Trying to mandate every possible reason that an employee could need time off, or every potential family situation is just not feasible. We also have concerns that there has been no study of how this type of expansion to family could impact Hawaii businesses or Hawaii's economy. Thank you for the opportunity to testify.

COMMUNITY ALLIANCE ON PRISONS

P.O. Box 37158, Honolulu, HI 96837-0158

Phone/E-Mail: (808) 927-1214 / kat.caphi@gmail.com



COMMITTEE ON LABOR, CULTURE, AND THE ARTS

Sen. Brian Taniguchi, Chair

Sen. Les Ihara, Vice Chair

Tuesday, March 10, 2020

2:45 PM – Room 224

SUPPORT FOR HB 2148 – EXTENDING FAMILY LEAVE TO GRANDPARENTS

Aloha Chair Taniguchi, Vice Chair Ihara and Members of the Committee!

My name is Kat Brady and I am the Coordinator of Community Alliance on Prisons, a community initiative promoting smart justice policies in Hawai'i for more than two decades. This testimony is respectfully offered on behalf of the families of **JAMES BORLING SALAS, ASHLEY GREY, DAISY KASITATI, JOEY O'MALLEY, JESSICA FORTSON AND ALL THE PEOPLE WHO HAVE DIED UNDER THE "CARE AND CUSTODY" OF THE STATE**, including the eleven (11) people that we know of, who have died in the last six (6) months. We also remind the committee of the approximately 5,200 Hawai'i individuals living behind bars or under the "care and custody" of the Department of Public Safety on any given day and we are always mindful that more than 1,200 of Hawai'i's imprisoned people are serving their sentences abroad thousands of miles away from their loved ones, their homes and, for the disproportionate number of incarcerated Kanaka Maoli, far, far from their ancestral lands.

HB 2148 HD1 extends Hawaii family leave to include care for employees' grandchildren. Defines "sibling". Amends the definition of "child" to include grandchildren. Takes effect on January 1, 2050. (HD1)

Community Alliance on Prisons supports this measure. Hawai'i has many families where grandparents are raising their grandchildren while their sons or daughters are incarcerated. They get no support from the state, which has forced many of our kupuna to continue working past their retirement to sustain their families.

Hawai'i needs to get out of its silo thinking and start working on REAL systemic change. Hawai'i's draconian laws and punitive policies have led to long sentences, massive overcrowding in correctional facilities, and broken families. HAWAII CAN DO BETTER.

This bill is a start in recognizing the problems that many families face, however, passing a REAL FAMILY LEAVE bill (SB 2491) is the way to go. Please support the values our communities hold dear – our aloha and respect for each other.

Mahalo for this opportunity to testify.



HAWAII GOVERNMENT EMPLOYEES ASSOCIATION
AFSCME Local 152, AFL-CIO

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

The Thirtieth Legislature, State of Hawaii
The Senate
Committee on Labor, Culture and the Arts

Testimony by
Hawaii Government Employees Association

March 10, 2020

H.B. 2148, H.D. 1 – RELATING TO FAMILY LEAVE

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO strongly supports the purpose and intent of H.B. 2148, H.D. 1 which permits an employee to utilize family leave in order to care for the employee's grandchild.

Currently, Chapter 398-3 of the Hawaii Revised Statutes allows for an employee to use four weeks of family leave upon the birth or adoption of a child or to care for a child, spouse, reciprocal beneficiary, sibling, or parent with a serious health condition, but does not include care for a grandchild. In some cases, an employee can retire comfortably prior to becoming a grandparent, but in many other cases, grandparents must work and are the primary caregiver of their grandchildren. We strongly support legislation that would allow employees the ability to utilize family leave to care for all of their family members – parents, siblings, spouses, children, and grandchildren.

Thank you for the opportunity to provide testimony in support of H.B. 2148, H.D. 1.

Respectfully submitted,

For Randy Perreira
Executive Director



Chamber of Commerce HAWAII

The Voice of Business

**Testimony to the Senate Committee on Labor, Culture, and the Arts
Tuesday, March 10, 2020 at 2:45 P.M.
Conference Room 224, State Capitol**

RE: HB 2148 HD1, RELATING TO FAMILY LEAVE

Chair Taniguchi, Vice Chair Ihara, and Members of the Committee:

The Chamber of Commerce Hawaii ("The Chamber") **provides the following comments** for HB 2148 HD1, which extends Hawaii family leave to include care for employees' grandchildren.

The Chamber is Hawaii's leading statewide business advocacy organization, representing about 2,000+ businesses. Approximately 80% of our members are small businesses with less than 20 employees. As the "Voice of Business" in Hawaii, the organization works on behalf of members and the entire business community to improve the state's economic climate and to foster positive action on issues of common concern.

The Chamber understands the intent of this bill and notes that many businesses offer paid leave programs as a means for attracting and retaining their workforce especially with our low unemployment rates. We need policies that will help Hawaii bring new businesses and support those in existence by encouraging businesses to adopt their own innovative paid leave programs rather than by placing yet another mandate on employers and businesses.

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

HB-2148-HD-1

Submitted on: 3/9/2020 4:37:26 PM

Testimony for LCA on 3/10/2020 2:45:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Melchor Rezada	Individual	Support	No

Comments:

To whom it may Concern:

I Melchor Rezada a grandfather greatly support the HB 2148 to take care grand children most especially a newborn grandbaby. Unfortunately, I can not afford yet to retire due to the high cost of living in Hawaii. But the HB 2148 will give me and other grandparents to take care their grandchildren especially newborn grand babies if they are sick while we grandparents remain working.

Much Mahalo,

Melchor Rezada

HB-2148-HD-1

Submitted on: 3/9/2020 10:48:04 PM

Testimony for LCA on 3/10/2020 2:45:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Leimomi Khan	Individual	Support	No

Comments:

Fully support. The high cost of living in Hawaii requires caregiving to be shared by parents and grandparents. Many grandparents act as primary caregivers for their grandchildren. Currently, Hawai'i's family leave law does not allow grandparents to take protected leave to take care of their grandchildren. By allowing grandparents protected leave, this proposal would align with the realities of Hawaii's families.



MAUI
CHAMBER OF COMMERCE
VOICE OF BUSINESS

**HEARING BEFORE THE SENATE COMMITTEE ON
LABOR, CULTURE & THE ARTS
HAWAII STATE CAPITOL, SENATE CONFERENCE ROOM 224
TUESDAY, MARCH 10, 2020 AT 2:45 P.M.**

To The Honorable Brian T. Taniguchi, Chair;
The Honorable Les Ihara, Jr., Vice Chair; and
Members of the Committee on Labor, Culture & The Arts,

TESTIMONY IN OPPOSITION TO HB2148 RELATING TO FAMILY LEAVE

Aloha, my name is Pamela Tumpap and I am the President of the Maui Chamber of Commerce, with approximately 650 members. I am writing share our opposition to HB2148.

The Maui Chamber of Commerce supports the Family & Medical Leave Act (FMLA) and encourages the Legislature to conduct a study and analyze the impacts of expanded family leave on businesses before passing a law that goes beyond FMLA. Therefore, we oppose HB2148 to expand family leave to include care for employees' grandchildren.

In addition, we are concerned that the bill in its current form does not specify that the family leave would only apply for grandparents who are the primary caregivers of their grandchildren.

We appreciate the opportunity to testify on this matter.

Sincerely,

Pamela Tumpap

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.