

STAND. COM. REP. NO. 205

Honolulu, Hawaii

FEB 12, 2009

RE: H.B. No. 31

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Sir:

Your Committee on Labor & Public Employment, to which was referred H.B. No. 31 entitled:

"A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES,"

begs leave to report as follows:

The purpose of this bill is to protect individuals from discriminatory employment practices by making it unlawful for an employer to refuse to hire or employ, or to bar or discharge from employment, or otherwise discriminate against any individual because of an individual's credit history or credit report.

The Hawaii Teamsters Local 996 and ILWU Local 142 testified in support of this bill. The Consumer Data Industry Association and Hawaii Bankers Association testified in opposition to this measure. The Honolulu Police Department and Hawaii Civil Rights Commission submitted comments.

Your Committee supports the workers' right to confidentiality of their credit history or record. However, your Committee recognizes that there may be limited instances where an employer may require the information in a credit report or history. This bill provides the balance between workers' rights and employers' needs by limiting the use of the information to situations that directly relate to an individual's bona fide occupational qualification.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this

HB31 HSCR LAB HMS 2009-2008



report, your Committee is in accord with the intent and purpose of H.B. No. 31 and recommends that it pass Second Reading and be referred to the Committees on Consumer Protection & Commerce and Judiciary.

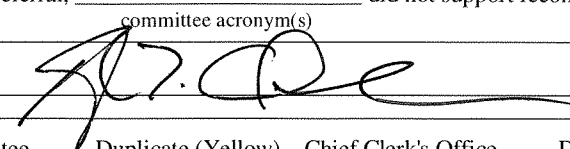
Respectfully submitted on
behalf of the members of the
Committee on Labor & Public
Employment,

Karl Rhoads

KARL RHOADS, Chair



Record of Votes of the Committee on Labor & Public Employment

Bill/Resolution No.: HB 31	Committee Referral: LAB, CPC/JUD	Date: 2-3-09		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input checked="" type="checkbox"/> Pass, unamended (as is) <input type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
LAB Members	Ayes	Ayes (WR)	Nays	Excused
1. RHOADS, Karl (C)	/			
2. YAMASHITA, Kyle T. (VC)	/			
3. AQUINO, Henry J.C.	/			
4. AWANA, Karen Leinani	/			
5. HANOHANO, Faye P.	/			
6. KEITH-AGARAN, Gilbert S.C.	/			
7. LEE, Marilyn B.	/			
8. NAKASHIMA, Mark M.	/			
9. SAIKI, Scott K.	/			
10. SOUKI, Joseph M.	/			
11. TAKUMI, Roy M.	/			
12. PINE, Kymberly Marcos	/			
TOTAL (12)	12			
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small>committee acronym(s)</small>				
Vice Chair's or designee's signature: 				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				