

**SB2383**

**Late**

The Twenty-Fifth Legislature  
Regular Session of 2010

**LATE**

THE SENATE

Committee on Judiciary and Government Operations

Senator Brian T. Taniguchi, Chair

Senator Dwight Y. Takamine, Vice Chair

State Capitol, Conference Room 016

Tuesday, February 23, 2010; 10:00 a.m.

**STATEMENT OF THE ILWU LOCAL 142 ON S.B. 2383  
RELATING TO DISLOCATED WORKERS**

The ILWU Local 142 supports S.B. 2383, which authorizes the Department of Labor and Industrial Relations to exercise enforcement powers against an employer in a covered establishment that would require the employer to adhere to, and comply with, the notification and penalty provisions of Section 394B-9, HRS.

The 2007 Legislature amended the Dislocated Worker Act to include penalties against an employer for failure to provide notice in the event of a closure, divestiture, partial closing or relocation of a business. However, to enforce the penalties, an aggrieved worker must file a claim in court, subjecting the worker to expense and delays that ultimately serve as a disincentive to seeking the penalties.

S.B. 2383 will authorize the Department of Labor and Industrial Relations to enforce the penalties section of the Dislocated Worker Act. The Department has far more resources at its disposal than a dislocated worker who has lost his job and may not know what lies ahead for him in the future.

The ILWU urges passage of S.B. 2383. Thank you for the opportunity to testify on this matter.