

HOUSE OF REPRESENTATIVES
THE TWENTY-EIGHTH LEGISLATURE
REGULAR SESSION OF 2015

COMMITTEE ON LABOR & PUBLIC EMPLOYMENT

Rep. Mark M. Nakashima, Chair
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Rep. Linda Ichiyama Rep. Roy M. Takumi
Rep. Aaron Ling Johanson Rep. Kyle T. Yamashita
Rep. Matthew S. LoPresti Rep. Andria P.L. Tupola

NOTICE OF HEARING

DATE: Friday, February 06, 2015
TIME: 9:00 am
PLACE: Conference Room 309
 State Capitol
 415 South Beretania Street

A G E N D A

HEARING

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|---------------------------------|--|---------------|
| <u>HB 1349</u> <u>Status</u> | RELATING TO TEACHER TENURE. Sets probationary period of specified licensed charter school teachers according to policies and practices as determined by DOE, BOE, and collective bargaining agreements. | LAB, EDN, FIN |
| <u>HB 546</u> <u>Status</u> | RELATING TO EDUCATIONAL BENEFITS. Requires UH to provide nonsupervisory employees in blue collar positions with the same educational benefits provided to faculty. | LAB, HED, FIN |
| <u>HB 553</u> <u>Status</u> | RELATING TO COLLECTIVE BARGAINING. Allows UH graduate students to be included in an appropriate collective bargaining unit. | LAB, HED, FIN |
| <u>HB 556</u> <u>Status</u> | RELATING TO THE RESEARCH CORPORATION OF THE UNIVERSITY OF HAWAII. Limits certain certified officers and employees of the Research Corporation of UH to non-renewable positions of no more than three years. Requires placement of all other officers or employees in appropriate collective bargaining unit. | LAB, HED, FIN |
| <u>HB 1370</u> <u>Status</u> | RELATING TO DIVORCE. Provides statutory authority for the employees' retirement system administrator to make direct payment to a former spouse of a member of benefits or portion thereof pursuant to valid court judgment, order, or decree. Takes effect on 1/1/2017. | LAB, JUD, FIN |

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SEASANT-AT-ARMS
HOUSE OF
REPRESENTATIVES



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| <u>HB 894</u> <u>Status</u> | RELATING TO THE ENHANCED 911 BOARD. Provides the Enhanced 911 Board with the authority to hire employees exempt from chapters 76 and 89, Hawaii Revised Statutes. Effective July 1, 2015. | LAB, CPC, FIN |
| <u>HB 307</u> <u>Status</u> | RELATING TO THE CONTRACTORS LICENSE BOARD. Amends the membership and composition requirements of the contractors license board. Declares that protection of the public shall be of the highest priority for the board in the exercise of its licensing, regulatory, and disciplinary functions. | LAB, CPC, JUD |
| <u>HB 1213</u> <u>Status</u> | RELATING TO EMPLOYMENT SECURITY. Allows the department of labor and industrial relations to set criteria for independent contractor status. Establishes criteria for when the department shall presume an individual is an independent contractor. Requires the department to certify independent contractors. Requires independent contractors to provide a written copy of certification to each customer. Places the burden of proving an employee-employer relationship on the certified independent contractor if the contractor files an unemployment insurance benefits claim against a customer. | LAB, CPC, JUD |
| <u>HB 1497</u> <u>Status</u> | RELATING TO LABOR. Requires employers to make, keep, and preserve records of the name, physical address, North American Industry Classification System code, and number of employees employed by the employer. Requires professional employer organizations to provide the physical address, North American Industry Classification System code, and number of employees of each client company to the DLIR. | LAB, CPC, FIN |
| <u>HB 517</u> <u>Status</u> | RELATING TO PROCUREMENT. Repeals section 103-55.6, Hawaii Revised statutes, the provision requiring a procurement preference to a bidder in a public works construction contract of not less than \$250,000, if the bidder is a party to an apprenticeship agreement registered with the department of labor and industrial relations for each apprenticeable trade the bidder will employ to construct the public works. | LAB, CPC, FIN |
| <u>HB 679</u> <u>Status</u> | RELATING TO WORKERS' COMPENSATION. Imposes a penalty on an employer who does not pay an employee temporary partial disability benefits within fourteen calendar days after the end of the employee's workweek as defined by administrative rule. Clarifies that an eligibility determination for disability benefits depends on the primary care physician to certify the employee's disability. Clarifies that the failure of the employee's primary care physician to certify the dates of disability in an interim report does not disqualify the employee from disability benefits. Allows contemporaneous certification of an employee's disability status to be waived. Clarifies that certification requirements only apply during the period that an employee's injuries have not reach medical stabilization or the employee is enrolled in the vocational rehabilitation process. | LAB, CPC, FIN |



HB 694
Status RELATING TO WORKERS' COMPENSATION. LAB, CPC, JUD
Authorize groups of health care providers to organize as coordinated care organizations for the provision of medical care, services, and supplies under Hawaii's workers' compensation law. Effective 1/1/2016.

HB 695
Status RELATING TO WORKERS' COMPENSATION. LAB, CPC, FIN
Repeals article 431:14A, HRS, which statutorily established the Hawaii employers' mutual insurance company (HEMIC) to provide workers' compensation coverage for Hawaii employers. Provides for continuing operation of HEMIC and any policies and coverages issued by it.

DECISION MAKING

The following measures were previously heard on **February 3, 2015**.

HB 435
Status RELATING TO FIREFIGHTERS. LAB, JUD, FIN
Provides firefighters with comprehensive medical coverage through workers compensation benefits by establishing a rebuttable presumption that a firefighter who suffers from cancer, blood-borne infectious disease, or exposure to biochemical substances contracted the condition in the course of employment. Requires the Hawaii State Fire Council to develop standards and procedures to ensure health and safety of firefighters who may be exposed to hazardous materials in the course of their duties.

HB 496
Status RELATING TO EMPLOYMENT. LAB, CPC, FIN
Establishes a family leave insurance program, which requires employees to make contributions into a trust fund to be used to provide employees with family leave insurance benefits in order to care for a designated person. Appropriates funds to DLIR to implement the program.

HB 535
Status RELATING TO EMPLOYMENT. LAB, FIN
Requires twelve weeks of family leave. Establishes a partial wage replacement for leave trust fund funded by employee wage withholdings. Uses the trust fund to provide partial wage replacement for the weeks of family leave that are unpaid. Appropriates moneys to administer the trust fund.

DECISION MAKING TO FOLLOW

Persons wishing to offer comments should submit testimony at least 24 hours prior to the hearing. Testimony should indicate:

- Testifier's name with position/title and organization;
- The Committee(s) to which the comments are directed;
- The date and time of the hearing; and
- Measure number.



While every effort will be made to incorporate all testimony received, materials received on the day of the hearing or improperly identified or directed, may be distributed to the Committee after the hearing.

Submit testimony in ONE of the following ways:

PAPER: 15 copies (including an original) to Room 310 in the State Capitol;

FAX: For testimony less than 5 pages in length, transmit to 808-586-8544 (Oahu) or 1-800-535-3859 (for Neighbor Islander without a computer to submit testimony through e-mail or the Web); or

WEB: For testimony less than 10MB in size, transmit from <http://www.capitol.hawaii.gov/submittestimony.aspx>.

Testimony submitted will be placed on the legislative website. This public posting of testimony on the website should be considered when including personal information in your testimony.

If you require special assistance or auxiliary aids and/or services to participate in the House public hearing process (i.e., sign or foreign language interpreter or wheelchair accessibility), please contact the Committee Clerk at 586-6680 or email your request for an interpreter to HouseInterpreter@Capitol.hawaii.gov at least 24 hours prior to the hearing for arrangements. Prompt requests submitted help to ensure the availability of qualified individuals and appropriate accommodations.

Selected meetings are broadcast live. Check the current legislative broadcast schedule on the "Capitol TV" website at www.capitoltv.org or call 536-2100.



Rep. Mark M. Nakashima
Chair

