
A BILL FOR AN ACT

RELATING TO EXTENDING ALOHA TO VETERANS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that Hawaii is one of
2 only thirteen states that does not extend legal protection to
3 private businesses that want to offer preferential hiring for
4 veterans. Veterans and their families make significant personal
5 sacrifices for our national security, and those who have served
6 our nation honorably can offer special skills, experiences, and
7 work ethic to employers. Employers should have the option to
8 choose to incorporate a veterans' hiring preference policy.

9 Without legal protection from the state, however, private
10 businesses currently cannot establish pro-veteran hiring
11 policies without risking claims of discrimination and costly
12 lawsuits.

13 In response to these concerns, thirty-seven other states
14 have created laws protecting employers that choose hiring
15 policies favoring veterans. Title VII of the Civil Rights Act
16 includes a specific exception, codified as title 42 United
17 States Code section 2475, that allows states to authorize a



1 private sector employer to establish a veterans' preference.
2 Hawaii should join the thirty-seven states that have already
3 done so in honoring veterans' service and recognizing the unique
4 benefits they can provide in the private sector economy.

5 The purpose of this Act is to authorize, without mandating,
6 private businesses, employment agencies, and labor organizations
7 to adopt preferential hiring policies for honorably discharged
8 veterans in accordance with Title VII of the Civil Rights Act.

9 SECTION 2. Chapter 378, Hawaii Revised Statutes, is
10 amended by adding a new section to be appropriately designated
11 and to read as follows:

12 "§378- Veterans preference in private employment. (a)

13 A private employer, employment agency, or labor organization may
14 adopt an employment policy that gives preference in hiring to an
15 honorably discharged veteran, as defined in section 363-1. Such
16 a policy shall be applied uniformly to employment decisions
17 regarding hiring and promotion.

18 (b) These preferences shall not be considered violations
19 of any state or local equal employment opportunity law,
20 including but not limited to any statute or regulation adopted
21 under chapter 378."



1 SECTION 3. New statutory material is underscored.

2 SECTION 4. This Act shall take effect upon its approval.

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H.B. NO. 1775

Report Title:

Nondiscrimination law; Veterans hiring preference

Description:

This Act allows private businesses, employment agencies, or labor organizations to adopt preferential hiring policies for honorably discharged veterans in accordance with Section 11 of Title VIII of the Civil Rights Act.

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