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# A BILL FOR AN ACT

RELATING TO FAMILY LEAVE.

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

1           SECTION 1. The legislature finds that Hawaii's working  
2 families are not adequately supported during times of caregiving  
3 and illness. While the federal Family and Medical Leave Act of  
4 1993 allows twelve weeks of unpaid leave to employees who have  
5 worked at a business that employs fifty or more employees, the  
6 majority of Hawaii's workforce cannot afford to take unpaid  
7 leave to care for a child or an elderly family member with a  
8 serious health condition. Hawaii law offers only a modest four-  
9 week extension of unpaid leave and this applies only to Hawaii's  
10 few large employers with more than one hundred employees.

11           The legislature further finds that only eleven per cent of  
12 workers in the United States have access to paid family leave  
13 through their employers. Women, as primary caregivers of  
14 infants, children, and elderly parents, are affected  
15 disproportionately by the unavailability of paid family and  
16 medical leave. In Hawaii, 247,000 people serve as family  
17 caregivers. Hawaii has the fastest growing population of



1 individuals over the age of sixty-five in the nation, and that  
2 number is expected to grow by eighty-one per cent by the year  
3 2030. Of those who would benefit from paid family leave, nearly  
4 one-third would take those leave benefits to care for an ill  
5 spouse or elderly parent. In short, most workers, at some  
6 point, will need to take time off to care for an ill family  
7 member, but very few can afford it.

8 The purpose of this Act is to establish paid family leave  
9 so that all employees can access leave benefits during times  
10 when they need to provide care for a family member.

11 SECTION 2. (a) By January 1, 2021, the department of  
12 labor and industrial relations shall establish a paid family  
13 leave program in the State, which shall include:

- 14 (1) An expanded temporary disability insurance program;  
15 (2) Paid family leave coverage for all employees of all  
16 employers that employ one or more employees;  
17 (3) A system of progressive wage replacement to allow low-  
18 income workers to receive a higher percentage of their  
19 weekly earnings than average or high-wage workers; and  
20 (4) Job protection to ensure that utilization of paid  
21 family leave does not adversely impact employment.



1 (b) The paid family leave program established pursuant to  
2 this Act shall begin processing payments by July 1, 2022.

3 (c) All executive branch departments and agencies shall  
4 enter into and participate in data-sharing agreements for the  
5 purposes of this Act, to commence no later than twenty days  
6 prior to the convening of the regular session of 2019.

7 (d) No later than twenty days prior to the convening of  
8 the regular sessions of 2020, 2021, 2022, 2023, and 2024, the  
9 department of labor and industrial relations shall submit a  
10 report to the legislature that includes:

11 (1) The progress of the department of labor and industrial  
12 relations in meeting its obligations under this Act;

13 (2) Recommendations for additional staff necessary for  
14 compliance, enforcement, and monitoring;

15 (3) Additional findings and recommendations, if any; and

16 (4) Proposed legislation, if any.

17 SECTION 3. There is appropriated out of the general  
18 revenues of the State of Hawaii the sum of \$ or so  
19 much thereof as may be necessary for fiscal year 2018-2019 to  
20 the department of labor and industrial relations to establish a  
21 paid family leave program for all workers by January 1, 2021,



1 including the hiring of one full-time equivalent (1.0 FTE)  
2 program manager.

3 The sum appropriated shall be expended by the department of  
4 labor and industrial relations for the purposes of this Act.

5 SECTION 4. This Act shall take effect on July 1, 2030;  
6 provided that section 3 shall take effect on July 1, 2018.



**Report Title:**

Paid Family Leave; DLIR; Insurance; Report; Appropriation

**Description:**

Requires the Department of Labor and Industrial Relations to establish paid family leave for all workers by January 1, 2021. Requires reports to the Legislature. Appropriates funds. Effective 7/1/2030. (SD2)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

