Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on July 2, 2019, the following bill was signed into law:

HB710 HD1 SD1 CD1 RELATING TO EMPLOYMENT PRACTICES. ACT 178 (19)

Sincerely,

DAVID Y. IGE
Governor, State of Hawai‘i
A BILL FOR AN ACT

RELATING TO EMPLOYMENT PRACTICES.

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

SECTION 1. Section 378-1, Hawaii Revised Statutes, is amended by adding a new definition to be appropriately inserted and to read as follows:

"'Reproductive health decision' means the use or attempted use of any legal drug, device, or medical service intended to prevent or terminate a pregnancy, or the use or attempted use of any assisted reproductive technology."

SECTION 2. Section 378-2, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

'(a) It shall be an unlawful discriminatory practice:

(1) Because of race, sex including gender identity or expression, sexual orientation, age, religion, color, ancestry, disability, marital status, arrest and court record, reproductive health decision, or domestic or sexual violence victim status if the domestic or sexual violence victim provides notice to the victim's
employer of such status or the employer has actual
knowledge of such status:

(A) For any employer to refuse to hire or employ or
to bar or discharge from employment, or otherwise
to discriminate against any individual in
compensation or in the terms, conditions, or
privileges of employment;

(B) For any employment agency to fail or refuse to
refer for employment, or to classify or otherwise
to discriminate against, any individual;

(C) For any employer or employment agency to print,
circulate, or cause to be printed or circulated
any statement, advertisement, or publication or
to use any form of application for employment or
to make any inquiry in connection with
prospective employment, that expresses, directly
or indirectly, any limitation, specification, or
discrimination;

(D) For any labor organization to exclude or expel
from its membership any individual or to
discriminate in any way against any of its members, employer, or employees; or

(E) For any employer or labor organization to refuse to enter into an apprenticeship agreement as defined in section 372-2; provided that no apprentice shall be younger than sixteen years of age;

(2) For any employer, labor organization, or employment agency to discharge, expel, or otherwise discriminate against any individual because the individual has opposed any practice forbidden by this part or has filed a complaint, testified, or assisted in any proceeding respecting the discriminatory practices prohibited under this part;

(3) For any person, whether an employer, employee, or not, to aid, abet, incite, compel, or coerce the doing of any of the discriminatory practices forbidden by this part, or to attempt to do so;

(4) For any employer to violate the provisions of section 121-43 relating to nonforfeiture for absence by members of the national guard;
(5) For any employer to refuse to hire or employ or to bar or discharge from employment any individual because of assignment of income for the purpose of satisfying the individual's child support obligations as provided for under section 571-52;

(6) For any employer, labor organization, or employment agency to exclude or otherwise deny equal jobs or benefits to a qualified individual because of the known disability of an individual with whom the qualified individual is known to have a relationship or association;

(7) For any employer or labor organization to refuse to hire or employ, bar or discharge from employment, withhold pay from, demote, or penalize a lactating employee because the employee breastfeeds or expresses milk at the workplace. For purposes of this paragraph, the term "breastfeeds" means the feeding of a child directly from the breast;

(8) For any employer to refuse to hire or employ, bar or discharge from employment, or otherwise to discriminate against any individual in compensation or
in the terms, conditions, or privileges of employment
of any individual because of the individual's credit
history or credit report, unless the information in
the individual's credit history or credit report
directly relates to a bona fide occupational
qualification under section 378-3(2); or
(9) For any employer to discriminate against any
individual employed as a domestic, in compensation or
in terms, conditions, or privileges of employment
because of the individual's race, sex including gender
identity or expression, sexual orientation, age,
religion, color, ancestry, disability, [±] marital
status[±], or reproductive health decision."

SECTION 3. This Act does not affect rights and duties that
matured, penalties that were incurred, and proceedings that were
begun before its effective date.

SECTION 4. Statutory material to be repealed is bracketed
and stricken. New statutory material is underscored.

SECTION 5. This Act shall take effect upon its approval.

APPROVED this 02 day of JUL, 2019

GOVERNOR OF THE STATE OF HAWAII
THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAI'I

Date: April 30, 2019
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the
House of Representatives of the Thirtieth Legislature of the State of Hawaii, Regular Session of
2019.

Scott K. Saiki
Speaker
House of Representatives

Brian L. Takeshita
Chief Clerk
House of Representatives
H.B. No. 710, H.D. 1, S.D. 1, C.D. 1

THE SENATE OF THE STATE OF HAWAIʻI

Date: April 30, 2019
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate of the Thirtieth Legislature of the State of Hawaiʻi, Regular Session of 2019.

President of the Senate

Clerk of the Senate