

STAND. COM. REP. NO.

114

Honolulu, Hawaii

February 10, 2015

RE: H.B. No. 1497

H.D. 1

Honorable Joseph M. Souki  
Speaker, House of Representatives  
Twenty-Eighth State Legislature  
Regular Session of 2015  
State of Hawaii

Sir:

Your Committee on Labor & Public Employment, to which was referred H.B. No. 1497 entitled:

"A BILL FOR AN ACT RELATING TO LABOR,"

begs leave to report as follows:

The purpose of this measure is to create greater transparency and accountability by insuring that workers are not misclassified or otherwise denied critical workplace protections provided by law. Specifically, this measure:

- (1) Authorizes the Department of Labor and Industrial Relations (Department) to require employers to make, keep, and preserve records regarding persons employed by the employer, including the business name, physical location address, North American Industry Classification System (NAICS) business activity code, and number of employees; and
- (2) Requires Professional Employer Organizations (PEOs) to provide their client company information, including the physical addresses, NAICS codes, and the number of employees of each client company to the Department.

The Department of Labor and Industrial Relations testified in support of this measure.



Your Committee has amended this measure by:

- (1) Adopting the proposed amendments submitted by the Department, which require every employer to keep a record of the physical addresses of the employer and the NAICS code applicable to the employer;
- (2) Changing the effective date to July 1, 2115, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1497, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1497, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Respectfully submitted on  
behalf of the members of the  
Committee on Labor & Public  
Employment,

  
MARK M. NAKASHIMA, Chair



State of Hawaii  
House of Representatives  
The Twenty-eighth Legislature

HSCR 114

**Record of Votes of the Committee on Labor & Public Employment**

Bill/Resolution No.: <b>HB 1497</b>	Committee Referral: <b>LAB, CDC, FIN</b>	Date: <b>2/6/15</b>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
LAB Members	Ayes	Ayes (WR)	Nays	Excused
1. NAKASHIMA, Mark M. (C)	/			
2. KEOHOKALOLE, Jarrett (VC)	/			
3. AQUINO, Henry J.C.				/
4. HAR, Sharon E.	/			
5. ICHIYAMA, Linda	/			
6. JOHANSON, Aaron Ling	/			
7. LOPRESTI, Matthew S.	/			
8. SAN BUENAVENTURA, Joy A.	/			
9. TAKAYAMA, Gregg	/			
10. TAKUMI, Roy M.	/			
11. YAMASHITA, Kyle T.	/			
12. TUPOLA, Andria P.L.	/			
<b>TOTAL (12)</b>	<b>11</b>			<b>1</b>
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align: center; font-size: 10pt;">committee acronym(s)</div>				
Vice Chair's or designee's signature:				
<b>Distribution:</b> Original (White) – Committee    Duplicate (Yellow) – Chief Clerk's Office    Duplicate (Pink) – HMSO				