








20150209 SHRM Hawaii Bill Tracking

PDF	Measure	Notes	Current Status	Introducer(s)	Referral	Companion
	<p>HB9</p> <p><u>Paid Sick Leave</u></p> <p>RELATING TO HEALTH.</p> <p>Requires employers to provide a minimum amount of paid sick leave to employees to be used to care for themselves or a family member who is ill or needs medical care.</p>		<p>(H) 1/26/2015 - Referred to LAB, FIN, referral sheet 1</p>	TAKUMI	LAB, FIN	
	<p>HB244</p> <p><u>Employment Discrimination; Labor; Smoking</u></p> <p>RELATING TO EMPLOYMENT.</p> <p>Prohibits discrimination against, or terminating, an employee solely for the employee's use of tobacco products outside of compensated working hours. Exempts any organization whose primary purpose is to discourage the use of tobacco products by the general public.</p>		<p>(H) 1/26/2015 - Referred to LAB, JUD, referral sheet 1</p>	SAIKI (Introduced by request of another party)	LAB, JUD	
	<p>HB496</p> <p><u>Family Leave Trust Fund; Family Leave Insurance Benefits; Appropriation</u></p> <p>RELATING TO EMPLOYMENT.</p> <p>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.</p>		<p>(H) 2/6/2015 - The committee(s) on LAB recommend(s) that the measure be deferred until 02-13-15.</p>	TAKAYAMA, AQUINO, BELATTI, BROWER, CACHOLA, CHOY, ICHIYAMA, ITO, LUKE, MIZUNO, ONISHI, SAY, WOODSON, Creagan, Keohokalole	LAB, CPC, FIN	SB965




20150209 SHRM Hawaii Bill Tracking

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	<p>HB535</p> <p><u>Family Leave; Partial Wage Replacement</u></p> <p>RELATING TO EMPLOYMENT.</p> <p>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.</p>		<p>(H) 2/6/2015 - The committee(s) on LAB recommend(s) that the measure be deferred until 02-13-15.</p>	<p>BELATTI, KOBAYASHI, MORIKAWA, SAIKI, Aquino, McKelvey</p>	<p>LAB, FIN</p>	
	<p>HB653</p> <p><u>Workers' Compensation; Independent Medical Examination; Settlement Agreement</u></p> <p>RELATING TO WORKERS' COMPENSATION.</p> <p>Requires workers' compensation settlement agreements to be paid within 14 days. Requires that a request for an independent medical examination be approved or denied by the director of labor and industrial relations within 14 days.</p>		<p>(H) 2/5/2015 - Bill scheduled to be heard by LAB on Tuesday, 02-10-15 9:00AM in House conference room 309.</p>	<p>SAY, MCKELVEY</p>	<p>LAB, CPC, FIN</p>	



20150209 SHRM Hawaii Bill Tracking

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	<p>HB679</p> <p><u>Workers' Compensation; Penalty; Temporary Partial Disability Benefits; Eligibility Determination</u></p> <p>RELATING TO WORKERS' COMPENSATION.</p> <p>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.</p>		<p>(H) 2/6/2015 - The committees on LAB recommend that the measure be PASSED, WITH AMENDMENTS. The votes were as follows: 11 Ayes: Representative(s) Nakashima, Keohokalole, Ichiyama, Johanson, LoPresti, San Buenaventura, Takayama, Takumi, Yamashita; Ayes with reservations: Representative(s) Har, Tupola; Noes: none; and 1 Excused: Representative(s) Aquino</p>	NAKASHIMA	LAB, CPC, FIN	
	<p>HB683</p> <p><u>Hawaii Civil Rights Commission; Investigation and Conciliation of Complaint</u></p> <p>RELATING TO THE HAWAII CIVIL RIGHTS COMMISSION.</p> <p>Authorizes the executive director to dismiss a discrimination complaint and issue a notice of right to sue after a determination of a reasonable cause of discrimination is made and conciliation fails.</p>		<p>(H) 1/28/2015 - Referred to LAB, JUD, referral sheet 2</p>	NAKASHIMA, AQUINO, ICHIYAMA, LOPRESTI, LUKE, SAIKI, TAKUMI, YAMASHITA, Belatti, Keohokalole	LAB, JUD	



20150209 SHRM Hawaii Bill Tracking

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	<p>HB684</p> <p><u>Employer Liability; Discriminatory Practices</u></p> <p>RELATING TO EMPLOYMENT.</p> <p>Allows an employee who has suffered a tangible adverse employment action resulting from a supervisor's discriminatory actions to sue the employee's employer. Allows an employer to raise an affirmative defense.</p>		<p>(H) 1/28/2015 - Referred to LAB, JUD, referral sheet 2</p>	<p>NAKASHIMA, TAKAYAMA, YAMASHITA, Keohokalole</p>	<p>LAB, JUD</p>	<p>SB1012</p>
	<p>HB685</p> <p><u>Employment; Layoffs; Notification</u></p> <p>RELATING TO EMPLOYMENT.</p> <p>Requires all entities and individuals that employ employees on a non-temporary basis to provide notice to employees at least thirty days in advance of any planned layoff. Subjects violators to civil penalties.</p>		<p>(H) 1/28/2015 - Referred to LAB, JUD, referral sheet 2</p>	<p>NAKASHIMA, LOWEN</p>	<p>LAB, JUD</p>	
	<p>HB795</p> <p><u>Medical Marijuana; Employment; Protections</u></p> <p>RELATING TO MEDICAL MARIJUANA.</p> <p>Prohibits an employer from disciplining, suspending, discharging, or discriminating against an employee who is a patient qualified to use medical marijuana solely because the employee tested positive for marijuana use.</p>		<p>(H) 2/9/2015 - Bill scheduled to be heard by HLT on Wednesday, 02-11-15 11:30AM in House conference room 329.</p>	<p>CREAGAN, NAKASHIMA</p>	<p>HLT, JUD</p>	



20150209 SHRM Hawaii Bill Tracking

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	<p>HB1047</p> <p><u>Paid Sick Leave</u></p> <p>RELATING TO MANDATORY SICK LEAVE.</p> <p>Requires employers to provide a minimum amount of paid sick leave to employees to care for themselves or a family member who is ill, needs medical care, or is a victim of domestic violence, sexual assault, or stalking.</p>		<p>(H) <u>1/29/2015</u> - Referred to LAB, JUD, FIN, referral sheet 5</p>	<p>LOPRESTI, MIZUNO, Creagan, Say, Souki</p>	<p>LAB, JUD, FIN</p>	
	<p>HB1049</p> <p><u>Family Leave; Partial Wage Replacement</u></p> <p>RELATING TO EMPLOYMENT.</p> <p>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.</p>		<p>(H) <u>1/29/2015</u> - Referred to LAB, FIN, referral sheet 5</p>	<p>LOPRESTI, BROWER, CREAGAN, KOBAYASHI, MIZUNO, Hashem</p>	<p>LAB, FIN</p>	




20150209 SHRM Hawaii Bill Tracking

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	<p>HB1213</p> <p><u>Employment Security; Independent Contractor</u> RELATING TO EMPLOYMENT SECURITY.</p> <p>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.</p>		<p>(H) 2/6/2015 - The committees on LAB recommend that the measure be PASSED, WITH AMENDMENTS. The votes were as follows: 11 Ayes: Nakashima, Keohokalole, Har, Ichiyama, Johanson, LoPresti, San Buenaventura, Takayama, Takumi, Yamashita, Tupola; Ayes with reservations: none; 0 Noes: none; and 1 Excused: Aquino.</p>	SOUKI, MCKELVEY, NAKASHIMA	LAB, CPC, JUD	SB1219
	<p>HB1269</p> <p><u>Public Safety; Workplace Violence; Restraining Orders</u> RELATING TO PUBLIC SAFETY.</p> <p>Allows an employer to seek a temporary restraining order and injunction against further harassment of an employee or invitee who may be harassed in connection with a worksite.</p>		<p>(H) 2/2/2015 - Referred to LAB, JUD, referral sheet 6</p>	NAKASHIMA, AQUINO, JOHANSON, TAKAYAMA, TAKUMI, Keohokalole, San Buenaventura	LAB, JUD	SB1213




20150209 SHRM Hawaii Bill Tracking

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	<p>HB1305</p> <p><u>Personal Account; Privacy; Employment; Social Networking Website</u> RELATING TO SOCIAL MEDIA.</p> <p>Prohibits employers from requiring, requesting, suggesting, or causing employees and potential employees to grant access to personal account usernames or passwords for a social networking website.</p>		<p>(H) 2/2/2015 - Referred to LAB, JUD, referral sheet 6</p>	<p>ING, BROWER, C. LEE, MCKELVEY, NAKASHIMA, NISHIMOTO, OHNO, RHOADS, SAIKI, TAKUMI</p>	<p>LAB, JUD</p>	
	<p>HB1497</p> <p><u>Labor; Professional Employer Organizations; Employers; Records</u> RELATING TO LABOR.</p> <p>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.</p>		<p>(H) 2/6/2015 - The committees on LAB recommend that the measure be PASSED, WITH AMENDMENTS. The votes were as follows: 11 Ayes: Nakashima, Keohokalole, Har, Ichiyama, Johanson, LoPresti, San Buenaventura, Takayama, Takumi, Yamashita, Tupola; Ayes with reservations: none; 0 Noes: none; and 1 Excused: Aquino.</p>	<p>NAKASHIMA</p>	<p>LAB, CPC, FIN</p>	




20150209 SHRM Hawaii Bill Tracking

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	<p>SB129</p> <p><u>Labor; Sick Leave; Service Workers</u></p> <p>RELATING TO LABOR.</p> <p>Requires certain employers to provide sick leave to service workers for specified purposes under certain conditions. Defines service workers and employers. Effective January 1, 2015.</p>		<p>(S) 1/29/2015 - The committee(s) on JDL deferred the measure until 02-17-15 9:30AM in conference room 016.</p>	<p>KEITH-AGARAN, SHIMABUKURO, TOKUDA, Baker</p>	<p>JDL, WAM</p>	
	<p>SB355</p> <p><u>Restrictive Covenants or Agreements; Covenants not to Compete; Employees and Employers</u></p> <p>RELATING TO RESTRAINTS OF TRADE.</p> <p>Prohibits post-employment restrictive covenants or agreements executed by an employee or agent after the commencement of employment as a condition of employment or continued employment.</p>		<p>(S) 2/5/2015 - The committee on CPN deferred the measure.</p>	<p>GABBARD, ESPERO, Green, Harimoto, Keith-Agaran, Shimabukuro</p>	<p>CPN, JDL</p>	
	<p>SB766</p> <p><u>Workers' Compensation; Independent Medical Examination</u></p> <p>RELATING TO WORKERS' COMPENSATION.</p> <p>Requires that a physician selected and paid for by an employer to conduct a medical examination for workers' compensation purposes shall be actively treating at least ten patients in a one-month period; be actively treating at least 50 per cent of the physician's total patient load in a one-month period; and possess medical malpractice insurance. Defines "actively treating".</p>		<p>(S) 2/6/2015 - The committee(s) on HTH deferred the measure until 02-10-15 9:00AM in conference room 229.</p>	<p>SHIMABUKURO, CHUN OAKLAND, Ihara</p>	<p>HTH, JDL</p>	<p>HB215</p>




20150209 SHRM Hawaii Bill Tracking

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	<p>SB803</p> <p><u>Workers' Compensation; Impartial Physician; Exam</u></p> <p>RELATING TO WORKERS' COMPENSATION.</p> <p>Requires a workers' compensation impartial exam to be conducted by a doctor whose specialty is appropriate for the injury to be examined in cases where the director of labor and industrial relations appoints a doctor to conduct an exam.</p>		<p>(S) 1/28/2015 - Referred to JDL/HTH, WAM.</p>	GREEN	JDL/HTH, WAM	
	<p>SB903</p> <p><u>Paid Leave; Parents; School Conferences; Early Intervention Services</u></p> <p>RELATING TO EMPLOYEE LEAVE.</p> <p>Requires government employers to provide employees paid leave to attend parent-teacher, parent-caregiver, or early intervention services conferences. Adds early intervention services conferences to the list of conferences for which government employees shall be eligible to receive paid leave to attend.</p>		<p>(S) 1/28/2015 - Referred to JDL, WAM.</p>	CHUN OAKLAND	JDL, WAM	
	<p>SB965</p> <p><u>Family Leave Trust Fund; Family Leave Insurance Benefits; Appropriation</u></p> <p>RELATING TO EMPLOYMENT.</p> <p>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.</p>		<p>(S) 1/28/2015 - Referred to HSH/JDL, WAM.</p>	CHUN OAKLAND, IHARA, Baker, Espero, Galuteria	HSH/JDL, WAM	HB496

20150209 SHRM Hawaii Bill Tracking

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	<p>SB1012</p> <p><u>Employer Liability; Discriminatory Practices</u></p> <p>RELATING TO EMPLOYMENT.</p> <p>Allows an employee who has suffered a tangible adverse employment action resulting from a supervisor's discriminatory actions to sue the employee's employer. Allows an employer to raise an affirmative defense.</p>		(S) 1/28/2015 - Referred to JDL.	KEITH-AGARAN, GALUTERIA, Dela Cruz, English, Kouchi, Nishihara	JDL	HB684
	<p>SB1025</p> <p><u>Paid Sick Leave</u></p> <p>RELATING TO MANDATORY SICK LEAVE.</p> <p>Requires employers to provide a minimum amount of paid sick leave to employees to care for themselves or a family member who is ill, needs medical care, or is a victim of domestic violence, sexual assault, or stalking.</p>		(S) 1/28/2015 - Referred to JDL, WAM.	CHUN OAKLAND, Keith-Agaran	JDL, WAM	HB1047
	<p>SB1174</p> <p><u>Workers Compensation; Medical Examination</u></p> <p>RELATING TO WORKERS' COMPENSATION.</p> <p>Provides that a independent medical examination and permanent impairment rating examination shall be conducted by a qualified physician selected by the mutual agreement of the parties. Provides a process for appointment in the event that there is no mutual agreement.</p>		(S) 2/6/2015 - The committee(s) on HTH deferred the measure until 02-10-15 9:00AM in conference room 229.	GREEN, Espero, Riviere, Ruderman	HTH, JDL	

20150209 SHRM Hawaii Bill Tracking

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	<p>SB1213</p> <p><u>Public Safety; Workplace Violence; Restraining Orders</u> RELATING TO PUBLIC SAFETY.</p> <p>Allows an employer to seek a temporary restraining order and injunction against further harassment of an employee or invitee who may be harassed in connection with a worksite.</p>		<p>(S) 2/6/2015 - The committee(s) on JDL has scheduled a public hearing on 02-10-15 9:15AM in conference room 016.</p>	TOKUDA, KEITH-AGARAN	JDL	HB1269
	<p>SB1219</p> <p><u>Employment Security; Independent Contractor</u> RELATING TO EMPLOYMENT SECURITY.</p> <p>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.</p>		<p>(S) 2/9/2015 - The committee(s) on JDL deferred the measure until 02-17-15 9:30AM in conference room 016.</p>	BAKER, Kidani, Wakai	JDL, CPN	HB1213
	<p>SB1269</p> <p><u>Personal Account; Privacy; Employment</u> RELATING TO SOCIAL MEDIA.</p> <p>Prohibits employers from requiring or requesting employees and potential employees to grant access to personal account usernames and passwords.</p>		<p>(S) 1/29/2015 - Referred to JDL.</p>	ESPERO, Gabbard, Nishihara, Shimabukuro, Slom	JDL	HB561