









20150309 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) 2/13/2015 - The committee(s) on LAB recommend(s) that the measure be deferred.</p>	TAKUMI	LAB, FIN	
	<p>HB215</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>(H) 1/26/2015 - Referred to LAB, FIN, referral sheet 1</p>	NISHIMOTO (Introduced by request of another party)	LAB, FIN	SB766
	<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	





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	<p>HB496 HD1</p> <p><u>Family Leave; Partial Wage Replacement</u> RELATING TO EMPLOYMENT.</p> <p>Establishes a partial wage replacement for leave trust fund funded by employee wage withholdings. Uses the trust fund to provide partial wage replacement for four weeks of family leave. Appropriates moneys to administer the trust fund. (HB496 HD1)</p>		<p>(H) 3/6/2015 - Passed Third Reading with Representative(s) Fukumoto Chang, Har, Jordan, Matsumoto, Oshiro, Pouha, Tupola, Ward voting aye with reservations; Representative(s) McDermott voting no (1) and none excused (0). Transmitted to Senate.</p>	<p>TAKAYAMA, AQUINO, BELATTI, BROWER, CACHOLA, CHOY, ICHIYAMA, ITO, LUKE, MIZUNO, ONISHI, SAY, WOODSON, Creagan, Keohokalole</p>	<p>LAB, FIN</p>	<p>SB965</p>
	<p>HB535</p> <p><u>Family Leave; Partial Wage Replacement</u> 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) 2/17/2015 - The committees on LAB recommend that the measure be PASSED, WITH AMENDMENTS. The votes were as follows: 12 Ayes: Representative(s) Nakashima, Keohokalole, Aquino, Ichiyama, Johanson, LoPresti, San Buenaventura, Takayama, Takumi, Yamashita, Tupola; Ayes with reservations: Representative(s) Har; 0 Noes: none; and 0 Excused: none</p>	<p>BELATTI, KOBAYASHI, MORIKAWA, SAIKI, Aquino, McKelvey</p>	<p>LAB, FIN</p>	
	<p>HB567</p> <p><u>State Ethics Commission; Lobbyist Statements; Online Access</u> RELATING TO LOBBYISTS.</p> <p>Requires the electronic filing of lobbyist disclosure statements. Requires that the filed statements be posted online.</p>		<p>(H) 1/28/2015 - Referred to JUD, FIN, referral sheet 2</p>	<p>LOPRESTI, MIZUNO, Keohokalole, Rhoads, San Buenaventura</p>	<p>JUD, FIN</p>	<p>SB1194</p>




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	<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) 2/10/2015 - The committee(s) on LAB recommend(s) that the measure be deferred.</p>	SAY, MCKELVEY	LAB, CPC, FIN	
	<p>HB679 HD1</p> <p><u>Workers' Compensation; Eligibility Determination</u></p> <p>RELATING TO WORKERS' COMPENSATION.</p> <p>Amends workers' compensation law for temporary total and partial disability benefits through certification by a physician. Allows for contemporaneous certification and retroactive certification of disability status. Applies only during the period that injuries have not reached medical stabilization or enrollment in a vocational rehabilitation process. (HB679 HD1)</p>		<p>(H) 2/10/2015 - Passed Second Reading as amended in HD 1 and referred to the committee(s) on CPC with Representative(s) Har voting aye with reservations; none voting no (0) and none excused (0).</p>	NAKASHIMA	LAB, CPC, FIN	
	<p>HB683 HD1</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 Civil Rights Commission 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. Amends the Executive Director's authority with respect to fair housing to comply with the federal Fair Housing Act. (HB683 HD1)</p>		<p>(H) 3/6/2015 - Forty-eight (48) hours notice Tuesday, 03-10-15.</p>	NAKASHIMA, AQUINO, ICHIYAMA, LOPRESTI, LUKE, SAIKI, TAKUMI, YAMASHITA, Belatti, Keohokalole	LAB, JUD	




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	<p>HB684 HD1</p> <p><u>Discriminatory Practices; Employment</u></p> <p>RELATING TO EMPLOYMENT.</p> <p>Requires employers to implement workplace procedures to prevent unlawful discrimination and harassment in the workplace. (HB684 HD1)</p>		<p>(H) 3/6/2015 - The committee(s) on JUD recommend(s) that the measure be deferred.</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) 2/11/2015 - The committee(s) on HLT recommend(s) that the measure be deferred.</p>	<p>CREAGAN, NAKASHIMA</p>	<p>HLT, JUD</p>	<p>SB1291</p>
	<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) 1/29/2015 - Referred to LAB, JUD, FIN, referral sheet 5</p>	<p>LOPRESTI, MIZUNO, Creagan, Say, Souki</p>	<p>LAB, JUD, FIN</p>	<p>SB1025</p>




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	Measure	Notes	Current Status	Introducer(s)	Referral	Companion
	<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) 1/29/2015 - Referred to LAB, FIN, referral sheet 5</p>	<p>LOPRESTI, BROWER, CREAGAN, KOBAYASHI, MIZUNO, Hashem</p>	<p>LAB, FIN</p>	
	<p>HB1213 HD1</p> <p><u>Employment Security; Independent Contractor</u></p> <p>RELATING TO EMPLOYMENT SECURITY.</p> <p>Allows the Department of Labor and Industrial Relations to set criteria for independent contractor status and when that status is presumed. Establishes certification procedures. 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. (HB1213 HD1)</p>		<p>(H) 3/2/2015 - The committee(s) on CPC/JUD recommend(s) that the measure be deferred.</p>	<p>SOUKI, MCKELVEY, NAKASHIMA</p>	<p>LAB, CPC/JUD</p>	<p>SB1219</p>
	<p>HB1269</p> <p><u>Public Safety; Workplace Violence; Restraining Orders</u></p> <p>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>	<p>NAKASHIMA, AQUINO, JOHANSON, TAKAYAMA, TAKUMI, Keohokalole, San Buenaventura</p>	<p>LAB, JUD</p>	<p>SB1213</p>

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	Measure	Notes	Current Status	Introducer(s)	Referral	Companion
	<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 HD1</p> <p><u>Labor; Professional Employer Organizations; Employers; Records</u> RELATING TO LABOR.</p> <p>Requires employers to keep a record of the physical addresses of the employer and the North American Industry Classification System code applicable to 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. (HB1497 HD1)</p>		<p>(H) 3/6/2015 - Passed Third Reading with none voting aye with reservations; none voting no (0) and none excused (0). Transmitted to Senate.</p>	<p>NAKASHIMA</p>	<p>LAB, FIN</p>	
	<p>SB129 SD2</p> <p><u>Labor; Sick Leave; Service Workers</u> 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 7, 2059. (SD2)</p>		<p>(S) 3/6/2015 - 48 Hrs. Notice 03-10-15.</p>	<p>KEITH-AGARAN, SHIMABUKURO, TOKUDA, Baker</p>	<p>JDL, WAM</p>	




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	<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) 2/18/2015 - Report adopted; Passed Second Reading and referred to JDL.</p>	<p>SHIMABUKURO, CHUN OAKLAND, Ihara</p>	<p>HTH, JDL</p>	<p>HB215</p>
	<p>SB803 SD1</p> <p><u>Workers' Compensation; Impartial Physician; Exam; Appropriation</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. Appropriates funds for the purpose of this measure. Effective 01/07/2059. (SD1)</p>		<p>(S) 2/27/2015 - The committee on WAM deferred the measure.</p>	<p>GREEN</p>	<p>JDL/HTH, WAM</p>	


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	<p>SB903</p> <p><u>Paid Leave; Parents; School Conferences; Early Intervention Services</u> 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>		(S) 1/28/2015 - Referred to JDL, WAM.	CHUN OAKLAND	JDL, WAM	
	<p>SB965</p> <p><u>Family Leave Trust Fund; Family Leave Insurance Benefits; Appropriation</u> 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>		(S) 1/28/2015 - Referred to HSH/JDL, WAM.	CHUN OAKLAND, IHARA, Baker, Espero, Galuteria	HSH/JDL, WAM	HB496
	<p>SB1012 SD1</p> <p><u>Employer Liability; Discriminatory Practices</u> RELATING TO EMPLOYMENT.</p> <p>Creates an exemption from liability of an employer for harassment by a supervisor unless the supervisor's agency status is proven to effect the harassment. Effective 01/07/2059. (SD1)</p>		(S) 3/6/2015 - 48 Hrs. Notice 03-10-15.	KEITH-AGARAN, GALUTERIA, Dela Cruz, English, Kouchi, Nishihara	JDL	HB684
	<p>SB1025</p> <p><u>Paid Sick Leave</u> 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

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	<p>SB1174 SD2</p> <p><u>Workers' Compensation; Medical Examination</u> RELATING TO WORKERS' COMPENSATION.</p> <p>Provides that an 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. Effective 1/7/2059. (SD2)</p>		(S) 3/6/2015 - 48 Hrs. Notice 03-10-15.	GREEN, Espero, Riviere, Ruderman	HTH, JDL	
	<p>SB1213 SD1</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 at the employer's premises or worksite. Effective January 7, 2059. (SD1)</p>		(S) 3/6/2015 - 48 Hrs. Notice 03-10-15.	TOKUDA, KEITH-AGARAN	JDL	HB1269
	<p>SB1219 SD2</p> <p><u>Employment Security; Independent Contractor; Guidelines; Department of Labor and Industrial Relations</u> RELATING TO EMPLOYMENT SECURITY.</p> <p>Clarifies Hawaii's employment security law for independent contractors. Includes twenty factors to be used as guidelines when determining whether an individual could be an independent contractor. Retains the ability of the department of labor and industrial relations to determine if an individual is an independent contractor. Requires the director of labor and industrial relations to report to the legislature prior to the regular session of 2016 regarding guidelines developed by the unemployment insurance coverage committee. Requires an annual report to the legislature regarding covered employment determinations. Effective January 7, 2059. (SD2)</p>		(S) 3/6/2015 - 48 Hrs. Notice 03-10-15.	BAKER, Kidani, Wakai	JDL, CPN	HB1213

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	SB1269 <u>Personal Account; Privacy; Employment</u> RELATING TO SOCIAL MEDIA. Prohibits employers from requiring or requesting employees and potential employees to grant access to personal account usernames and passwords.		(S) 1/29/2015 - Referred to JDL.	ESPERO, Gabbard, Nishihara, Shimabukuro, Slom	JDL	HB561