



Testimony to the Senate Committee on Commerce and Consumer Protection
Thursday, February 5, 2015, 9:00AM
State Capitol - Conference Room 229

RE: SENATE BILL NO. 234 RELATING TO RETAIL EMPLOYMENT

Aloha Chair Baker, Vice Chair Taniguchi, and members of the committees:

We are Melissa Pannell and John Knorek, the Legislative Committee co-chairs for the Society for Human Resource Management – Hawaii Chapter (“SHRM Hawaii”). SHRM Hawaii represents nearly 1,000 human resource professionals in the State of Hawaii.

We are writing to respectfully oppose SB 234, which requires a retail employer to pay a retail employee who works on a state holiday at a wage rate of three times the retail employee's regular wage rate and prohibits a retail employer from taking retaliatory personnel action against a retail employee for electing to not work on a state holiday.

There are no state or federal laws making any day a holiday for private sector employees. In many cases these days are a matter of collective bargaining.

Traditionally holidays were days businesses closed so there was no work or pay. In recent times holidays became an opportunity for individuals to shop and purchase foods or services. Whether employees working for any business receive a day off, with or without pay, or work on a holiday with or without premium pay, should be left to the private market determination. Adding an exorbitant triple pay requirement and the option to not work any holiday will damage the ability of retail businesses to provide the service necessary on holidays and raise the prices for consumers unnecessarily.

Human resource professionals are keenly attuned to the needs of employers and employees. We are the frontline professionals responsible for businesses’ most valuable asset: human capital. We truly have our employers’ and employees’ interests at heart. We respectfully oppose this measure for the implementation challenges and administrative burden it would impose and for the potential of unintended consequences, including conflicts with other laws and requirements and existing employer-provided leave policies and costs.

We will continue to review this bill and, if it advances, request to be a part of the dialogue concerning it. Thank you for the opportunity to testify.



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