

SCR 32

TO: COMMITTEE ON HUMAN SERVICES
Senator Suzanne Chun Oakland, Chair
Senator Les Ihara, Jr., Vice Chair
COMMITTEE ON LABOR
Senator Dwight Takamine, Chair
Senator Brian Taniguchi, Vice Chair

FROM: Eudice R. Schick
PABEA (Policy Advisory Board for Elder Affairs)

SUBJECT: SCR 32

HEARING: Thursday, March 19, 2009 1:15 a.m. room 016

POSITION: Support of SCR 32

I am offering testimony on behalf of PABEA, the Policy Advisory Board for Elder Affairs, which is an appointed Board tasked with advising the Executive Office on Aging (EOA). My testimony does not represent the views of the EOA but of the Board.

SCR 32 Brings out many of the issues that face our family caregivers. We know that those numbers will greatly increase as our elder population increases. We must find a way of supporting these people. They are employees who are very valuable to both their employer and to their family.

Your support of this resolution is a support for our community, both caregivers and their families.

Eudice R. Schick, Chair PABEA Legislative Committee

HAWAII TEAMSTERS AND ALLIED WORKERS, LOCAL 996

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Sen. Suzanne Chun Oakland, Chair
Sen. Les Ihara, Vice Chair
Committee on Human Services

Sen. Dwight Takamine, Chair
Sen. Brian Taniguchi, Vice-Chair
Committee on Labor

Glenn Ida
Representative
Thursday, Mar. 19, 2009, 1:15 PM,
Conference Room 016

The Hawaii Teamsters Local 996 Supports S.C.R. NO. 32.

I was a participant of the Joint Legislative Committee on Aging in Place. My focus was on finding a way for Paid Family Leave.

I'm a part-time care giver for my Mom. Two years ago she had bypass surgery. She has, fortunately for me, recovered successfully, but what would happen if a spouse was to suffer a massive stroke or another condition to the point of being confined to a bed. You not only lose your partner but also the income they may be receiving to help pay the mortgage and other living expenses which do not stop because you're in a difficult situation.

Therefore, the Hawaii Teamsters Local 996 Supports S.C.R. 32, with the hope that when the economic situation will improve enough to make Family Leave with Pay a reality.

Thank you for allowing me the opportunity to testify.

The National Multiple Sclerosis Society concurs with SCR No. 32 which encourages stakeholders and interested parties to work together to establish paid family leave or similar wage replacement programs to assist family caregivers. Paid family leave or similar wage replacement programs would allow family caregivers to help family members without jeopardizing their financial security as a result of lost wages or benefits.

Multiple sclerosis is a chronic, often disabling disease of the central nervous system that can affect every part of the body. Symptoms of MS are unpredictable and vary from person to person and from time to time in the same person. They range from tingling to blindness and paralysis and can be moderate or severe; temporary or permanent. People with MS are usually diagnosed between the ages of 20 and 50, but both children and older people are diagnosed with MS too. MS is not a fatal disease and people with MS have a normal or near-normal life expectancy. In some cases, caregiving can begin within years of a family member receiving a diagnosis of multiple sclerosis.

Up to a quarter of individuals living with MS require long-term care services at some point during the course of the disease. Often, a family member steps into the role of primary caregiver to be closer to the individual with MS and involved in care decisions. Home healthcare needs are expensive, and most people do not have the resources to pay for in-home help. Home-based care often is less expensive than placing an individual in a long-term care facility and family members usually provide that care while balancing a career, raising a family, and/or caring for family members.

Thank you for allowing the National MS Society to voice our support of SCR No. 32.

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Lyn Moku
Division Manager
March 17, 2009



**National
Multiple Sclerosis
Society**

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The Twenty-Fifth Legislature
Regular Session of 2009

THE SENATE

Committee on Human Services

Senator Suzanne Chun Oakland, Chair

Senator Les Ihara, Jr., Vice Chair

Committee on Labor

Senator Dwight Y. Takamine, Chair

Senator Brian T. Taniguchi, Vice Chair

State Capitol, Conference Room 016
Thursday, March 19, 2009; 1:15 p.m.

STATEMENT OF THE ILWU LOCAL 142 ON S.C.R. 32

Encouraging Stakeholders and Interested Parties to Work Together to Establish Paid Family Leave or Similar Wage Replacement Programs to Assist Family Caregivers

The ILWU Local 142 supports adoption of S.C.R. 32, which would encourage stakeholders to work together to establish paid family leave or similar wage replacement programs to assist family caregivers.

As Hawaii's aged population grows, so too will the number of working men and women who must take time off from work or retire altogether to provide care needed by their loved ones at home. These family caregivers sacrifice jobs and retirement income to provide uncompensated care for their family members.

The State may say this is the responsibility of the family. However, we believe that the State must be involved in this growing social dilemma. If family caregivers decide to stop providing care, who will provide the care? If the person needing care cannot afford institutional care, who will pay? Ultimately, it will be the taxpayer's burden. Thus, the State must be involved in finding a solution.

Paid family leave or some other kind of wage replacement program to assist family caregivers is only a nominal effort at providing assistance to caregivers. Family leave is limited. State law provides for four weeks of leave only to employers with 100 or more employees. However, this nominal effort will demonstrate the State's acknowledgement of the invaluable service provided by family caregivers and its commitment to working towards a solution.

We are not sure what will come from this resolution. Last year, a Working Group was tasked to address this same problem and could not come to any agreement. The two sides on the issue were polarized. Philosophical differences precluded consensus or compromise.

One thing that this resolution requests is cooperation from employers about potential loss of benefits by family caregivers from 401K or similar retirement programs. Whether employers will comply remains to be seen. However, we are hopeful that someone in the Administration or the Legislature will champion this issue and bring the parties together. The problem of caring for providing for long-term care will only get worse if nothing is done.

The ILWU urges adoption of S.C.R. 32. Thank you for considering our views.



Chair, Senator Suzanne Chun Oakland
Vice-chair, Senator Les Ihara, Jr.
Committee: Human Services

Chair, Senator Dwight Takamine
Vice-Chair, Senator Brian Taniguchi
Committee: Labor

From: Society for Human Resource Management (SHRM) Hawaii
(808) 523-3695 or e-mail: shrmhawaii@hawaii.biz.rr.com
Testimony date: Thursday, March 19, 2009

Opposition to SCR 32

SHRM Hawaii is the local chapter of a National professional organization of Human Resource professionals. Our 1,200+ Hawaii membership includes those from small and large companies, local, mainland or internationally owned - tasked with meeting the needs of employees and employers in a balanced manner, and ensuring compliance with laws affecting the workplace. We (HR Professionals) are the people that implement the legislation you pass, on a day-to-day front line level.

SHRM Hawaii opposes SCR 32, which encourages the establishment of paid family leave or similar wage replacement programs to assist family caregivers.

The bill as written would duplicate some of the protections currently provided by the Family Medical Leave Act (FMLA) and Hawaii Family Leave Act (HFLA), which provide employment status protection and continuation of employer paid benefits, such as medical insurance benefits, while an employee is on either leave, which could be up to 12 weeks. These leaves can be taken to care for an employee's spouse, parents, children, and/or dependents.

Our existing Hawaii law (HFLA) currently expands on the Federal law (FMLA) to include time off to care for an employee's parents (biological, hanai, parent-in-laws, foster/adoptive, step-parents,) grandparents (biological, adoptive, and in-law), legal guardians, children, and all dependents. Also, under HFLA, an employee has the option to use their personal sick time off while on leave to help financially offset their loss of wages. Therefore, it would be burdensome and complex for employers to administrate an additional law.

It is for these reasons SHRM Hawaii opposes SCR 32.

Thank you for the opportunity to testify. SHRM Hawaii offers the assistance of its Legislative Committee members in discussing this matter further.



**Before the Senate Committee on Human Services and
Senate Committee on Labor**

DATE: March 19, 2009
TIME: 1:15 p.m.
PLACE: Conference Room 016

Re: SCR 32
**Relating to Paid Family Leave or Similar Wage Replacement
Programs to Assist Family Caregivers**
Testimony of Melissa Pavlicek for NFIB Hawaii

Thank you for the opportunity to submit our comments. We oppose this bill in its current form.

The National Federation of Independent Business is the largest advocacy organization representing small and independent businesses in Washington, D.C., and all 50 state capitals. In Hawaii, NFIB represents 1,200 members and works with and on behalf of employers across the state. We support returning and keeping workers in the workforce, but we are concerned that working toward employer paid leave, particularly in these challenging economic times, will result in employers being able to employ fewer workers.

Testimony to the Senate Committees on Human Services and Labor
Thursday, March 19, 2009
1:15 p.m.
Conference Room 016
State Capitol

RE: SCR 32 ENCOURAGING STAKEHOLDERS AND INTERESTED PARTIES TO
WORK TOGETHER TO ESTABLISH PAID FAMILY LEAVE OR SIMILAR WAGE
REPLACEMENT PROGRAMS TO ASSIST FAMILY CAREGIVERS

Chairs Chun Oakland and Takamine, Vice Chairs Ihara and Taniguchi, and members of the committees:

My name is Jim Tollefson and I am the President and CEO of The Chamber of Commerce of Hawaii ("The Chamber"). Thank you for the opportunity to submit comments.

The Chamber is the largest business organization in Hawaii, representing more than 1,100 businesses. Approximately 80% of our members are small businesses with less than 20 employees. As the "Voice of Business" in Hawaii, the organization works on behalf of its members, which employ more than 200,000 individuals, to improve the state's economic climate and to foster positive action on issues of common concern.

The Chamber well recognizes the growing number of caregivers in our state. Employers understand the hardships that some employees are experiencing and care about the well-being of their employees. They realize the importance of taking care of their employees and offering benefits to retain their staff. Many voluntarily offer benefits that address care giving responsibilities.

We respectfully ask that the committees consider having a copy of this resolution sent to a business organization as the current draft excludes one.

Thank you for the opportunity to submit written comments.