

Policy Development and Advocacy: The Analysis of a Paid Family Leave Bill in the Hawaii State Legislature

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1 Introduction

The increase of women's participation in the labor force and the changes in family structure in past decades call for modifications in work-life support policies, such as paid family leave, for working parents (AEI-Brookings Working Group on Paid Family Leave, 2017; Appelbaum, Boushey, & Schmitt, 2014). Unfortunately, the United States is the only advanced economy without a nationwide paid family leave policy (Heymann, Earle, & Hayes, 2008), and only a handful of states, including California, New Jersey, and Rhode Island, have implemented paid family leave programs (National Partnership for Women and Families, 2017). In recent years, paid family leave has gained public interest and momentum. Proposals of paid family leave policies have been introduced and discussed at both federal and state levels (AEI-Brookings Working Group on Paid Family Leave, 2017), including in the state of Hawaii.

Our study focuses on paid family leave in Hawaii, a state where the high living costs present great challenges for residents to maintain their employment and economic security while caring for their young children and other family members such as ailing older parents (Stern, Zan, & Kohl, 2016). Although eldercare is also a critical issue in Hawaii and nationwide, we focus the discussion on child care and working parents in this paper. Existing policies do not provide adequate support for Hawaii's parents to balance their work and family life (Stern et al., 2016), especially among low-wage, part-time, and small business employees (Zan, Gauci, & Kohl, 2018).

Although several bills were submitted to advance paid family leave between 2016 and 2018, none has become a law in the state.¹ To make progress in the development of family leave, policy makers and advocates need to understand the key stakeholders and the critical issues involved. To better inform these efforts, we examined a paid family leave bill introduced by the Hawaii State Legislature in the 2016 regular session and conducted a content analysis of testimonies submitted for the public hearings. We addressed the following questions: a) What process has the proposed paid family leave bill been through in the Hawaii State Legislature? b) What policy components are in the proposed bill and have changed during the legislative process? c) Who are the proponents and opponents of the proposed paid family leave bill and what are their central arguments? The answers to these questions may shed light on the policy development of paid family leave in Hawaii as well as in other states. In Hawaii families face the challenges of a high cost of living and parents struggle to balance their employment and

¹ In the 2018 legislative session in Hawaii, SB 2990, Related to Family Leave, was signed into a law in July 2018, requesting a paid family leave actuarial study. However, no legislation of a statewide paid family leave program has been passed.

child care. Hawaii's economic conditions speak to the significance and urgency to advance work-family balance policies such as paid family leave.

2 Background

2.1 Economic conditions in Hawaii

The cost of living in Hawaii is among of the highest in the nation (The Council for Community and Economic Research, 2017), and therefore, most residents must work to meet their expenses. The data show that approximately 78% of the Hawaii population aged 16 to 64 worked between 2012 and 2016, a higher rate than the share of the U.S. workforce (75%) (U.S. Census Bureau, 2016a). When major life events happen such as the birth of a child or the diagnosis of a chronic condition of a child, many working parents struggle to attend to the needs of their children and maintain their employment. The work-family conflict especially places great challenges for single parents. In Hawaii, about 30.8% of children lived with one parent, and 79.6% of these parents were in the labor force between 2012 and 2016 (U.S. Census Bureau, 2016b). When parents need to work, affordable and quality child care services are important to ensure that young children receive the care needed. However, Hawaii data have shown a critical shortage of infant-toddler care and high cost burden of existing child care services to families (DeBaryshe, Bird, Stern, & Zysman, 2017). In fact, Hawaii was ranked the most expensive state for center-based care in 2015 (Dobbins, Tercha, McCready, & Fraga, 2016). In addition, Hawaii has a higher percentage of multigenerational households than the U.S. average (8.1% vs. 3.8%) (U.S. Census Bureau, 2016c). This living arrangement is often a solution to cope with the high cost of living in the state. The sandwich generation (i.e., middle-aged adults "sandwiched" between elder parents and young children) are often double-burdened to care for their older parents and minor children.

2.2 Current leave options in Hawaii

Hawaii's workers are in critical need of family policy support. Current statutory policies for Hawaii's workers to take time off include the federal Family and Medical Leave Act (FMLA), Hawaii's Family Leave Law (HFLL), and Temporary Disability Insurance (TDI). Some employers also provide limited paid leave options, such as paid sick days and vacation (Van Giezen, 2013); however, these workplace policies, even combined with statutory policies are still not enough (Zan et al., 2018).

Both FMLA and HFLL have limitations. FMLA provides job protection (i.e., guarantees a job to return to after leave-taking) and 12 weeks of unpaid medical and family leave for workers with new children or sick family members (U.S. Department of Labor, 2012). However, to be eligible, employees need to work at least 1,250 hours in a year with a single employer and work at least 12 months in a business with 50 or more employees (U.S. Department of Labor, 2012). HFLL allows four weeks of unpaid leave for family care. To be eligible, employees need to work at least six consecutive months at a business that employs 100 or more employees within the state.

The business size restrictions of FMLA and HFLL exclude over 90% of Hawaii's businesses and over a quarter of the workforce (Zan et al., 2018), many of whom are low-wage earners (Boushey, 2011), forcing them to ignore family needs and continue working to support themselves financially. The work-hour and tenure requirements of the two policies exclude other populations as well, such as those with multiple part-time jobs and young people who change careers (Boushey, 2011). And even when the short-term unpaid leave is granted, it is

not without economic consequences. For the low-income population, foregoing a month's salary might not be an option they can afford (Zan et al., 2018).

TDI offers some employees partial wage replacement, allowing them to take time off for non-work-related injuries or illnesses, including pregnancy. To be eligible, an employee must have at least 14 weeks of Hawaii employment with pay for 20 hours or more and no less than \$400 in earnings in the 52 weeks before the first day of disability (Fass, 2009). New mothers are eligible for six to eight weeks of partially paid time off if they cannot return to work because of the physical disability of being pregnant and/or the recovery after childbirth. The benefits are at the 58% of employee's average weekly wages up to \$595 per week in 2017 (Hawaii Department of Labor and Industrial Relations, n.d.; National Partnership for Women and Families, 2015). The leave benefit, however, does not apply to fathers and adoptive mothers and fathers (Hayes, 2017).

2.3 Needs for paid family leave in Hawaii

Paid family leave provides workers extended time off with wage replacement during leave-taking. The lack of access to such benefits has profound consequences for working parents. Workers who sacrifice their jobs to provide care for their family not only lose their earnings but also pay in terms of interrupted careers and reduced wealth accumulation (U.S. Department of Labor, 2015). With paid family leave, however, women benefit in terms of stronger labor force attachment (i.e., returning to the workforce after leave-taking) and higher wages (Houser & Vartanian, 2012). In addition to labor market consequences, families without the support of paid family leave may experience negative health consequences. For example, inadequate time to care for a newborn and recover from childbirth may increase a mother's stress and compromise the physical well-being of both her and her baby (Aitken et al., 2015). In addition, children's physical health can suffer due to delayed or incomplete immunizations, less regular checkups, and curtailed breastfeeding (Berger, Hill, & Waldfogel, 2005).

The lack of paid family leave can also hurt businesses. Distracted by family needs, workers can underperform. In addition, work-family conflicts can lead to an increase in absenteeism and worker turnover (Bartel, Rossin-Slater, Ruhm, Stearns, & Waldfogel, 2018; Houser & Vartanian, 2012), both of which are costly to businesses. Boushey and Glynn (2012) estimate that rehiring and retraining workers cost businesses approximately 21% of workers' salaries. Small businesses, in particular, are at a disadvantage because, unlike large businesses, they do not have funds to pay for a paid family leave program. The challenge for small businesses is relevant to Hawaii because about 96% of its firms employ less than 100 workers (Zan et al. 2018).

Inadequate paid family leave not only hurts families and businesses, but also affects a state's funds. When families have difficulty making ends meet, they often turn to public assistance such as Temporary Assistance for Needy Families and Supplemental Nutrition Assistance Program (Kang, Meyers, & Romich, 2016). Research shows that new parents who take leave are less likely to rely on public assistance one year after childbirth than those who do not take leave (Houser & Vartanian, 2012).

3 Data and Methods

To analyze the critical issues in advancing paid family leave in Hawaii, we drew data from the Hawaii State Legislature website at www.capitol.hawaii.gov, the key portal for information about the Hawaii Revised Statutes (the state's laws), access to bills and resolutions, schedules

of chamber sessions and committee meetings, and testimonies and committee reports in the past legislative sessions since 1999, as well as involvement in policy development. We chose the 2016 legislative session because at the time of this study it was the most recent policy development in Hawaii with full records in the Legislative Archives. The formal introduction of policy proposals to the Legislature in the form of a bill is a critical step of policy making process (Burstein, Bricher, & Einwohner, 1995). We conducted a search of bills using the keyword of “paid family leave.” Our search yielded an initial sample of 18 records: nine House bills (HB), one House concurrent resolution (HCR), six Senate bills (SB), one Senate resolution (SR), and one Senate concurrent resolution (SCR). We focused on the bills and excluded the three resolutions, which do not have the power of law. We screened the 15 bills based on two criteria: a) the bill was related to paid family leave and b) the bill had public hearings and committee decision making in the 2016 legislative session. We excluded two bills about unpaid family leave and 11 bills without public hearings and committee decision-making. The two remaining bills—HB496 (Related to Employment: Family Leave) and SB2961 (Related to Family Leave: Family Leave Insurance Program)—proposed to establish a family leave insurance program. SB 2961 was introduced in the 2016 regular session, while HB496 was carried over from 2015 to the 2016 regular session. To further the review and discussion on paid family leave in the 2016 legislative session, legislators focused on SB2961 instead of HB496. Therefore, we chose to analyze the former.

We conducted a content analysis using documents (legislative bills, committee reports, and written testimonies) as the data source to answer the research questions. This qualitative analytical method requires that data be examined and interpreted systematically in order to elicit meaning, gain understanding, and develop empirical knowledge (Bowen, 2009; Corbin & Strauss, 2008). In this study, we examined five drafts of SB2961, four committee reports on the bill, and 155 written testimonies submitted to the standing committees. We reviewed the timeline of public hearings, synthesized amendments to the bill, and analyzed written testimonies to identify key stakeholders. We focused on testimonies in opposition to the bill and highlighted critical issues in the policy debate. Two authors analyzed the documents separately and discussed discrepancies in the coding of the arguments and issues until they reached a consensus.

4 Findings

4.1 Timeline of bills in the Hawaii State Legislature process

The Hawaii Revised Statutes set up the rules on how a bill becomes a law in Hawaii (Kahle, 2001). A Senate bill is introduced and typically passes the first reading on the Senate. Depending on the subject of the bill and the needs for funding appropriation, it is referred to a number of standing committees, which hold public hearings and consider the bill. A bill often involves amendments, which generate various drafts of the bill. A bill must pass three readings in the Senate to be sent to the House by a deadline. The House follows a similar procedure. If there are disagreements between the House and Senate drafts of the bill, a conference committee with members from both chambers meets to reach an agreed upon draft, which is then presented to the governor. The governor can sign, veto, or let the bill become law without signature after a certain time period. If the bill obtains the governor’s approval, it becomes a law (Kahle, 2001).

There are 25 state senators and 51 state house representatives in the Hawaii State Legislature, where Democrats have been the supermajority for many years. In the 2016 regular sessions, there was only one Republican in the state Senate and seven Republicans in the state House.

Table 1 shows the key dates and status of SB2961 through the 2016 regular sessions of the Hawaii State Legislature. SB2961 was introduced by four Democratic senators and was referred to five standing Senate committees: the joint committee of the Committee on Human Services (HMS), the Committee on Commerce (CoC), and the Committee on Commerce, Consumer Protection and Health (CPH), as well as the joint committee of the Committee on Judicial (JDL) and the Committee on Ways and Means (WAM). On March 10, 2016, the deadline for the first crossover, SB2961 was sent to the House and referred to three House standing committees: Labor and Public Employment (LAB), Consumer Protection and Commerce (CPC), and Committee on Finance (FIN). The LAB and CPC held public hearings and passed the bill with amendments; however, the FIN did not take action. As a result, the bill was deferred and dead in the House for the 2016 regular session. The process of SB2961 in the legislative session demonstrates the complexity in lawmaking, including multiple referrals, public hearings, and committee actions within deadlines. It requires advocacy groups and individuals to obtain knowledge and skills to navigate and engage in the process.

4.2 Policy design components in various drafts of paid family leave bills

During the legislative process, SB2961 bill went through changes from the original draft to its various amendments (See Table 2). These changes reflect the discussions on critical components of the policy design, such as the financing, coverage, and duration of a paid family leave program in Hawaii.

The original SB2961 was initiated with the purpose of establishing a family leave insurance program administered by the Department of Labor and Industrial Relations (DLIR). This policy would require employees to contribute through a small payroll deduction into a fund, from which employees would receive partial wage replacement during leave-taking in order to attend to their own medical needs or to care for a designated person (e.g., a newborn or a severely ill family member). However, in the latest draft, SB2961HD2, the language of establishing a family leave insurance program was removed and the effective date of the program was changed to 2112. The deferred date to a distant future is a legislative technique to allow further discussions of the bill. Instead of establishing the program, the revised bill required the Office of Lieutenant Governor to work with the DLIR to conduct an actuarial study on the implementation cost of a family leave insurance program, assess the potential impact of the program on Hawaii's TDI, and prepare a report to the Legislature.

Regarding the population covered by the proposed leave policy, the initial measure (SB2961) and the first Senate amendment (SB2961SD1) stated that all employers (i.e., anyone who employs one or more employees) are required to provide paid family leave, while the second Senate amendment (SB2961SD2) and the House version (SB2961HD1) inserted a blank space in the bill to leave the number of employees unspecified (i.e., employers who employ ___ employees are required to provide paid family leave). The discussion focused on whether a segment of the workforce can be excluded from the coverage. Also, the duration of paid leave varied across drafts. The initial measure (SB2961) and Senate Drafts (SB2961SD1 and SB2961SD2) stated up to 12 weeks per calendar year of leave, but the House version (SB2961HD1) shortened it to four weeks. These components of the policy are likely to be the focal points of the paid family leave discussion in the future.

4.3 Findings of analyzing the written testimonies

SB2961 bill received a total of 155 testimonies from governmental departments, the business community, and concerned individuals (See Table 3). For the first public hearing on SB2961

by the joint Senate committee of HMS and CPH, a total of 39 testimonies were submitted, including two from public agencies, 18 from non-profit organizations, and 19 from individuals. Among these 39 testimonies, 32 were in support, five were in opposition, and two were comments only. For the second public hearing on SB2961 by the joint Senate committee of JDL and WAM, a total of 37 testimonies were submitted, including three from public agencies, 15 from non-profit organizations, and 19 from individuals. Among them, 30 testimonies were in support, five were in opposition, and two were comments only.

A total of 38 testimonies were from individuals during the Senate committee hearings, including those from the same individuals to different committees. The low number of individual testimonies suggests the need to empower and engage citizens in the legislative process. Various reasons can contribute to the low number of individual testimonies: lack of awareness, limited knowledge on civic engagement, and/or time constraint. Advocates, including social workers, may address these obstacles to promote civic engagement through public education. The dominance of the testimonies from organizations speaks to the significance of advocacy groups, who represent the interests of individuals, to participate in the policy development process. These groups play critical roles in advocating on behalf of their members.

4.3.1 Findings of testimonies in support of the bill

Our analysis shows that most of the testimonies support the bill. Organizations supporting the bill in various stages of the legislative process include groups interested in the health and wellbeing of women (e.g., the Hawaii State Commission on the Status of Women, Hawaii State Democratic Women's Caucus, Hawaii Women's Coalition, American Association of University Women, Healthy Mothers Healthy Babies Coalition of Hawaii), parents (e.g., Family Programs Hawaii, Hawaii Children's Action Network, and Planned Parenthood Votes Northwest and Hawaii, Hawaii Association of Infant Mental Health), and caregivers (Hawaii Family Caregiver Coalition, and Policy Advisory Board for Elder Affairs).

The testimonies from these organizations stress that there is inadequate support for Hawaii's working families after childbirth and during illnesses. Major reasons from the testimonies supporting a paid family leave insurance policy include the benefits for women and children's health, stronger workforce attachment, and potential savings for the state government. The women and parent groups focused mostly on the benefits to maternal and child health and welfare from taking paid family leave. Taking leave gives time for newborns and mothers to bond, establishes breastfeeding, and gives mothers sufficient time to recover. Women's groups also emphasized how paid family leave can promote financial stability, increase workforce attachment, and reduce the gender wage gap. Family caregiver groups focused mostly on the need for family caregivers and stressed the importance of wage replacement for family caregivers when they take leave. A few testimonies that were not tied directly to any group framed paid family leave as an important labor policy to support workers in general, to maintain a stable workforce, and to save state money when workers can keep their jobs while caring for the family members instead of relying on public assistance programs.

Proponents of the policy largely focused on addressing the needs and benefits of paid family leave, but their discussions on policy design were limited to a few testimonies that mentioned the duration and funding mechanism of the policy. For example, advocates for maternal and infant health supported longer leave based on research evidence and advocated for 12 as opposed to 4 weeks of paid leave. Regarding funding for the program, most supported a fiscally neutral approach with an employee-fully funded mechanism in which employees pay

100% of the premiums into a trust fund from which workers can draw money when they take leave for qualified reasons. The Hawaii State Teachers Association (HSTA), which represents 135,000 educators, 80% of whom are women, presented a different view. The HSTA supported the bill with a suggested amendment that the employers make 50% of contribution to the trust fund. So, despite the consensus on the need for paid family leave, further discussions about the policy design are needed to build a strong coalition among the supporting groups. The lack of consensus on specific policy design among support groups may have weakened the overall strength of the advocacy. Further discussions on a proper policy design of paid family leave are needed to reach agreement among support groups for a united coalition and stronger advocacy.

4.3.2. Findings of testimonies in opposition of the bill

Opposition to paid family leave came primarily from the business sector. Among the seven organizations that submitted testimonies in opposition to the policy, five were from the business sector, including the Society for Human Resource Management-Hawaii (SHRM), the National Federation of Independent Business (NFIB) Hawaii, the Chamber of Commerce Hawaii, the Building Industry Association of Hawaii, and the Hawaii Credit Union League. The other two oppositions were from the Hawaii Longshore and Warehouse Union (ILWU) Local 142 and the Department of Public Safety. In addition, two governmental departments, the Department of Labor and Industrial Relations (DILR) and the Department of Budget and Finance (DBF), submitted “comments only” testimonies on the various drafts of SB2961, recommending the measure to be deferred.

As shown in Table 4, the opposition to or reservations about the bill centered on the cost and administration of the program as well as its burden to businesses. These concerns, however, were not accompanied by any research. For example, NFIB argued that paid family leave with universal coverage is not workable for small businesses since it imposes an excessive burden on small businesses. SHRM, representing human resource professionals, expressed concerns about the implementation challenges and the administrative burdens to businesses as well as the potential unintended conflict with existing leave laws such as the TDI program. Interestingly, both NFIB and SHRM stated that they would continue to review the bill’s progress and that they want to “be a part of the dialogue” concerning family leave.

Notably, a union (the ILWU Local 142) supported the notion of providing paid family leave; however, it opposed the bill, which only requires employees to pay into a fund, because the union considered paid family leave an employee benefit for which employers should bear the cost. The union also had questions about whether DILR has the personnel and infrastructure to administer the program and whether the proposal is actuarially sound. The DLIR and DBF shared similar concerns. In their “comment only” testimonies, the DLIR was concerned about the burden on employees of required contributions, the administrative burden on the DLIR, and the conflicts between this measure and existing statutes. In response, the DBF recommended an actuarial study. Despite a small number of testimonies in opposition, the conveyers of these testimonies are critical stakeholders when advocates consider the future of the family leave policy.

5 Conclusion and Implications

The literature has demonstrated the inadequacy of existing policies to support work-family balance. This study focused on one bill, SB2961, which was introduced in the 2016 regular session of the Hawaii State Legislature. We described the legislative process, identified key stakeholders, and analyzed critical issues in the policy development and advocacy.

Hawaii, with its high cost of living and the economic challenges for working parents, is poised to pass a paid family leave legislation and implement the program. First, Democrats, who are more likely than Republicans to support policies such as paid family leave, are the supermajority among legislators in Hawaii. Second, as all of the states which have implemented paid family leave programs built their programs on existing TDI (Fass, 2009), Hawaii has a TDI program with the infrastructure upon which a paid family leave program can potentially build. Third, paid family leave has also gained statewide support from organizations on behalf of women and parents, family caregivers, and other social groups. These groups have been actively involved in the policy debates and have used research-based evidence to demonstrate the necessity and benefits of having a paid family leave program.

Despite these advantages, the paid family leave bill was not passed in Hawaii. As Palley and Shdaimah's (2011) work on child care policy advocacy in U.S. suggests, even with the widespread need of child care and recognition of its importance, without a unified, strong group of advocates, important legislation does not pass. Advocates are divided on how to frame and respond to the U.S. child care crisis (Shdaimah & Palley, 2012). In the case of paid family leave, several lessons learned through the investigation of Hawaii's SB2961 include forming a unified, broad coalition, using research-based evidence for education and advocacy, and promoting civic engagement on paid family leave.

First, our findings suggest the need to build a unified, broad coalition through discussion, education, and strategic compromise, preferably before the legislative session starts. It is important to frame the paid family leave policy in a unified way representing consensus across the support groups. A coalition can help synthesize the efforts and messages of various groups. For example, framing the policy as "paid family leave" instead of "paid parental leave" in the policy discussions is more likely to gain a broader support from women and parent groups, family caregiver groups, and labor support groups. To increase the likelihood of passing the bill, strategic compromise is needed even among support groups. For example, the conflict about who should pay for paid leave programs, HSTA or ILWU, likely weakened the chance of the bill passing. Had both of these groups been included in the discussion, a consensus or at least a productive discussion could have taken place. Furthermore, coalition with opponent groups, such as the NFIB and SHRM, which expressed their interest in continuing to review the bill's progress, could have potentials to resolve obstacles before the bill even makes it to the Legislature.

Second, our analyses revealed some gaps in the empirical research on paid family leave. It is important to develop and use research-based evidence for education and advocacy. For example, the research on the impact of paid family leave on new parents and children is abundant, whereas the studies in the context of caring for ill family members are scarce. Actuarial and feasibility studies are also needed to address the opponents' concerns. While women's and parents' groups often included data and research-based findings to support their arguments in the testimonies, opponents from the business sector largely expressed their concerns without supporting evidence. They might not be aware of available evidence, or they might not want to use them if research does not support their opinions. Future research on the impact of paid family leave on businesses, especially small ones, is needed to test whether those concerns are well grounded. Advocate groups should continue focusing on using research-based evidence and engaging in public education.

Lastly, it is critical to engage concerned individuals in policy advocacy. Social workers have important roles in the policy formulation process (Weiss-Gal, 2013) through placing matters

on the agenda, providing information and explanations, expressing opinions, and making suggestions and comments (Weiss-Gal, 2013) on paid family leave. Social workers, who have extensive experience working in the fields of child care, health and behavioral mental health, and elderly care, can be effective advocates. Social workers can also empower their clients such as low-income working parents who can benefit from paid family leave to engage in the policy making process.

References

- AEI-Brookings Working Group on Paid Family Leave.** (2017). *Paid family and medical leave: An issue whose time has come*. Retrieved from <http://www.aei.org/wp-content/uploads/2017/06/Paid-Family-and-Medical-Leave-An-Issue-Whose-Time-Has-Come.pdf>
- Aitken, Z., Garrett, C. C., Hewitt, B., Keogh, L., Hocking, J. S., & Kavanagh, A. M.** (2015). The maternal health outcomes of paid maternity leave: A systematic review. *Social Science & Medicine*, *130*, 32–41.
- Appelbaum, E., Boushey, H., & Schmitt, J.** (2014). *The economic importance of women's rising hours of work*. Center for American Progress and the Center for Economic and Policy Research. Retrieved from <https://cdn.americanprogress.org/wp-content/uploads/2014/04/WomensRisingWorkv2.pdf>
- Bartel, A. P., Rossin-Slater, M., Ruhm, C. J., Stearns, J., & Waldfogel, J.** (2018). Paid family leave, fathers' leave-taking, and leave-sharing in dual-earner households. *Journal of Policy Analysis and Management*, *37*(1), 10-37.
- Berger, L. M., Hill, J., & Waldfogel, J.** (2005). Maternity leave, early maternal employment and child health and development in the US. *The Economic Journal*, *115*(501), F29-F47.
- Burstein, P., Bricher, R. M., & Einwohner, R. L.** (1995). Policy alternatives and political change: Work, family, and gender on the congressional agenda, 1945–1990. *American Sociological Review*, *60*(1), 67–83.
- Boushey, H.** (2011). The role of the government in work-family conflict. *The Future of Children*, *21*(2), 163–190.
- Boushey, H., & Glynn, S. J.** (2012). *The effects of paid family and medical leave on employment stability and economic security*. Washington: Center for American Progress.
- Bowen, G. A.** (2009). Document analysis as a qualitative research method. *Qualitative research journal*, *9*(2), 27–40.
- Corbin, J., & Strauss, A.** (2008). *Basics of qualitative research: Techniques and procedures for developing grounded theory*. Thousand Oaks, CA: Sage.
- DeBaryshe, B.D., Bird, O., Stern, I., & Zysman, D.** (2017). *Hawai'i early learning needs assessment*. Honolulu: University of Hawai'i Center on the Family. Retrieved from http://uhfamily.hawaii.edu/publications/brochures/e8998_HawaiiEarlyLearningAssessment-Web.pdf
- Dobbins, D. R., Tercha, J., McCready, M., & Fraga, L.M.** (2016). *Parents and the high cost of child care: 2016 report*. Arlington, VA: Child Care Aware of America.
- Fass, S.** (2009). *Paid leave in the states: A critical support for low-wage workers and their families*. National Center for Children in Poverty.
- Hawaii Department of Labor and Industrial Relations.** (n.d.). *About Temporary Disability Insurance*. Retired from: <http://labor.hawaii.gov/dcd/home/about-tdi/>
- Hawaii State Legislature.** (2016). *SB2961 Relate to family leave*. Retrieved from http://www.capitol.hawaii.gov/Archives/measure_indiv_Archives.aspx?billtype=SB&billnumber=2961&year=2016

- Hayes, J.** (2017). Usage and cost of parental and family care leave in Hawaii, in *Hawaii State Paid Family Leave Analysis Grant Report* (pp.10-42), Retrieved from https://www.dol.gov/wb/media/Hawaii_Final_Report.pdf.
- Heymann, J., Earle, A., & Hayes, J.** (2008). *The work, family, and equity index: How does the United States measure up?* McGill University, Institute for Health and Social Policy.
- Houser, L., & Vartanian, T. P.** (2012). *Pay matters: The positive economic impacts of paid family leave for families, businesses and the public.* Retrieved from Center for Women and Work at Rutgers website: <http://www.nationalpartnership.org/research-library/work-family/other/pay-matters.pdf>
- Kahle, R. F. Jr.** (2001). *How to research constitutional, legislative, and statutory history in Hawaii.* Legislative Reference Bureau.
- Kang, J., Meyers, M. K., & Romich, J.** (2016). *Washington State paid family leave analysis report: The effect of state paid maternity leave on TANF and SNAP use.* Retrieved from https://www.dol.gov/wb/media/WA_Paid_Leave_UW_Final_Report_SNAP_TANF.pdf
- National Partnership for Women and Families** (2015). *Existing Temporary Disability Insurance Programs.* Retrieved from <http://www.nationalpartnership.org/research-library/work-family/paid-leave/existing-tdi-programs.pdf>
- National Partnership for Women and Families** (2017). *State paid family leave insurance laws.* Retrieved from <http://www.nationalpartnership.org/research-library/work-family/paid-leave/state-paid-family-leave-laws.pdf>
- Palley, E., & Shdaimah, C.** (2011). Child care policy: A need for greater advocacy. *Children and Youth Services Review*, 33(7), 1159-1165.
- Shdaimah, C., & Palley, E.** (2012). Baby steps or big steps? Elite advocate perspectives on US child care advocacy. *Journal of Policy Practice*, 11(3), 158-177.
- Stern, I., Zan, H., & Kohl, N.** (2016). *Paid family leave: Strengthening Hawai'i's children and families.* Retrieved from Center on Family at University of Hawaii at Manoa website: http://uhfamily.hawaii.edu/publications/brochures/32a2d_PFL%20Brief%201%20December%2019%202016.pdf
- The Council for Community and Economic Research** (2017), *Quarter 2, 2017 Cost of Living Index Release.* Retrieved from <http://coli.org/quarter-2-2017-cost-of-living-index-release/>
- U.S. Census Bureau.** (2016a). American Community Survey, 2016 American Community Survey 5-Year Estimates, Table S2302.
- U.S. Census Bureau.** (2016b). American Community Survey, 2016 American Community Survey 5-Year Estimates, Table B23008.
- U.S. Census Bureau.** (2016c). American Community Survey, 2016 American Community Survey 5-Year Estimates, Table B11017.
- U.S. Department of Labor.** (2012). *Fact sheet #28: The Family and Medical Leave Act.* Retrieved from: <https://www.dol.gov/whd/regs/compliance/whdfs28.pdf>
- U.S. Department of Labor.** (2015). *The cost of doing nothing: The price we all pay without paid leave policies to support America's 21st century working families.* Retrieved from <https://www.dol.gov/wb/resources/cost-of-doing-nothing.pdf>
- Van Giezen, R. W.** (2013). *Paid leave in private industry over the past 20 years.* Retrieved from <https://www.bls.gov/opub/btn/volume-2/pdf/paid-leave-in-private-industry-over-the-past-20-years.pdf>
- Weiss-Gal, I.** (2013). Policy practice in practice: The inputs of social workers in legislative committees. *Social Work*, 58(4), 304-313.

Zan, H., Gauci, K., & Kohl, N. (2018). *What paid family leave can do for families, businesses, and the economy* (working report), Honolulu, Center on Family.

Appendix

Table 1. Timeline and Status of SB2961

Date	Status
01/27/2016	Introduced and pass first reading in the Senate (SB2961)
01/29/2016	Referred to HMS/CPH and JDL/WAM
02/04/2016	HMS/CPH held public hearing and deferred the decision making
02/05/2016	CPH recommended “pass with amendments”
02/09/2016	HMS recommended “pass with amendments”
02/19/2016	Passed second reading in Senate (SB2961SD1)
02/24/2016	JDL/WAM held public hearing and deferred the decision making
03/01/2016	JDL recommended “pass with amendments”
03/01/2016	WAM recommended “pass with amendments”
03/08/2016	Pass third reading in the Senate (SB2961SD2)
03/10/2016	Crossed over to the House and passed the first reading in the House (SB2961SD2)
03/10/2016	Referred to LAB, CPC, and FIN
03/15/2016	LAB held a public hearing and recommended “pass with amendments”
03/18/2016	Passed second reading in House (SB2961HD1)
03/21/2016	CPC held public hearing and deferred the decision making
03/23/2016	CPC recommended “pass with amendments”, (SB2961HD2)
03/24/2016	Referred to FIN, no hearings further actions by FIN

Note: The Senate standing committees are as follows: Committee on Human Services (HMS), Committee on Commerce, Consumer Protection and Health (CPH), the Committee on Judicial (JDL), and Committee on Ways and Means (WAM). The House standing committees are as follows: Committee on Labor and Public Employment (LAB), Consumer Protection and Commerce (CPC), and Committee on Finance (FIN).

Table 2. Description of SB2961 in Original and Various Drafts

Initial measure	SB2961	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. Covers the self-employed businesses that employ one or more employees. Expands duration of paid leave to 12 weeks of leave. Takes effect on 07/01/2016.
Amendments in the Senate	SB2961SD1	Takes effect on 07/01/2050.
	SB2961SD2	Removes self-employed and inserts a blank for the number of employees. Requires a study to be performed by the DLIR and an actuarial study to be performed by the DBF. Takes effects on 01/07/2059.
Amendments in the House	SB2961HD1	Changes the duration of paid leave to four weeks. Takes effect on 07/01/2090.
Last draft in the session	SB2961HD2	Requires the office of lieutenant governor to work with the DLIR to conduct an actuarial study. Takes effect on 07/01/2112.

Note: DLIR, the Department of Labor and Industrial Relations; DBF, the Department of Budget and Finance.

Table 3: Numbers of Testimonies to SB2961

	SB2961 02/04/2016 S-HMS/CPH	SB2961SD1 02/24/2016 S-JDL/WAM	SB2961SD2 03/15/2016 H-LAB	SB2961HD1 03/21/2016 H-CPC
Total	39	37	52	17
Submitter status				
Individual	19	19	31	3
Non-profit organization	18	15	18	12
Public agency	2	3	3	2
Position				
Support	32	30	46	13
Opposition	5	5	4	2
Comments only	2	2	2	2

Table 4. Testimonies in Opposition to SB2961

	SB2961 02/04/2016 S-HMS/CPH	SB2961SD1 02/24/2016 S- JDL/WAM	SB2961SD2 03/15/2016 H-LAB	SB2961HD1 03/21/2016 H-CPC
The ILWU Local 142	X	X	X	X
	Acknowledges the needs and benefits of paid family leave and supports employees being provided paid leave. However, it objects to the requirement that employees must make contributions into a trust fund to pay for their leave. Paid leave should be provided by the employer as a cost of doing business. It is unrealistic to expect the DLIR to administer an insurance program, due to the cost and staffing required. Questions whether the proposal is actuarially sound.			
SHRM Hawaii	X	X	X	X
	SHRM represents more than 800 human resource professionals in Hawaii. Opposes the bill because of the implementation challenges, the administrative burden it would impose, and the potential unintended conflict with other leave laws.			
NFIB	X	X	X	X
	Federal FMLA applies to larger companies (50 or more employees) for a reason: smaller companies would be unduly burdened if they have to keep a job open for 12 weeks even if they are a small business			
Chamber of Commerce Hawaii (CoC)	X		X	

	CoC represents about 1,000 businesses. Approximately 80% of members are small businesses with less than 20 employees. Concerns include the cost and management of the trust fund and whether a shortage will lead to a future employer tax. Concerns about the mandatory leave allowed and potential adverse effects on business and economy.			
BIA-Hawaii		X		
	BIA-Hawaii is a not-for-profit professional trade organization affiliated with the national Association of Home Builders. Concerns include the cost and management of the fund and whether a shortage might lead to a future employer tax. Concerns about the length of leave allowed and the adverse effect that would have on business operations.			
Hawaii Credit Union League		X		
	Local trade association for 63 Hawaii Credit unions. Concerns include the cost and management of the fund and that the contribution by employees may have an adverse effect on the cost of running a business in Hawaii.			
Dept. of Public Safety	X			
	Civil Service Employees already receive a generous package of benefits that may be applied concurrently with family and medical leave. Establishing a new paid leave will increase the levels of leaves taken and increase the overtime expenditures. Recommends this proposal be applied only to private sector.			

Note: ILWU Local 142, Hawaii International Longshore and Warehouse Union; SHRM Hawaii, Society for Human Resource Management-Hawaii; NFIB Hawaii, National Federation of Independent Business-Hawaii; BIA Hawaii, Building Industry Association of Hawaii.

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