

2018 LEGISLATIVE PACKAGE

The Chamber's 2018 Legislative Package focuses on strategic areas to support businesses in Hawaii. This package was proposed by members and approved by our Policy Committees, which are open for participation by all members.

SPURRING ECONOMIC DEVELOPMENT

Support manufacturing programs (HB2610/SB2903)

- Continue support and funding for grants to manufacturers for training, energy savings, equipment and planning of new facilities. (\$1.5 million)

Funding for small business and innovation programs supported by state agencies (SB2904)

- Innovation continues to be a key component of Hawaii's new economy and sector for growth. Continue support and funding for the Hawaii Small Business Innovation and Research (SBIR) program, supported by High Technology Development Corporation (HTDC), which helps local companies get federal R&D dollars for research and commercialization development (\$2 million).

Support resources for programs to support the military in Hawaii.

- Grant in Aid to support the Military Affairs Council's 2019 Hawaii Military Partnership Conference, as well as neighbor island conferences or seminars aimed at supporting the efforts of the Kauai Military Affairs Council and Hawaii Island Military Affairs Committee (\$50,000).

IMPROVING BUSINESS CLIMATE

Bill to address Adams v. CDM court ruling (HB2201/SB2993)

The case, arguably, overturns decades of settled law. In the past, because Hawaii is an at-will employment state, an employer could take an adverse employment action (e.g., firing, demotion, refusal to hire) for any non-discriminatory reason. The ruling as stated imposes far greater restriction, i.e., the adverse action must only be related to the person's ability to perform the job. **This legislation establishes that any adverse employment action can be taken by an employer for any non-discriminatory reason.**

- Other aspects include that, essentially, if an employer ends up not hiring an applicant for a reason that is not stated in the job posting, the employer is on the hook for a discrimination claim.
- Lastly, the Court stated that the decision maker for a hiring decision must have personal knowledge of the issues/reasons for not hiring a candidate. This can especially be an issue for large employers as the interviewer is not the hiring authority.

Bill to allow employers to file temporary restraining orders against individuals (HB2200/SB2994)

- Currently, an employer cannot seek a temporary restraining order and injunction against an individual to protect employees or invitees (e.g. clients, customers, etc.) and create a safe working environment at the employer's premises or worksite.

Clarification of the Small Business Regulatory Review Board's powers (HB2235/SB2885)

- The Small Business Regulatory Review Board (SBRRB) currently reviews rules that are proposed, amended, or adopted by a state agency, however these responsibilities not clear in statute.

As "The Voice of Business", the Chamber also reviews over 3,000 bills each session to ensure legislation does not negatively impact Hawaii's business community.