



To: Senate Committee on Judiciary & Labor

Date: Monday, February 29, 2016

Time: 10:00 A.M.

Where: Room 16, State Capitol

RE: SENATE BILL 3036, RELATING TO EMPLOYMENT

Aloha Chair Keith-Agaran, Vice Chair Shimabukuro, and Members of the Committee:

I am John Knorek, the Legislative Committee chair for the Society for Human Resource Management – Hawaii Chapter (“SHRM Hawaii”). SHRM Hawaii represents more than 800 human resource professionals in the State of Hawaii.

We are writing to **support SB 3036**, which specifies that employers may take adverse employment action for reasons other than those currently protected under Hawaii’s anti-discrimination law.

Prior to a recent Hawaii Supreme Court decision, an employer could take an adverse employment action (*e.g.*, firing, demotion, refusal to hire) for any non-discriminatory reason. The new rule however is that the adverse action must be related to the person’s ability to perform the job. Other aspects of the court’s decision have further eroded “at will” employment and create significant challenges for HR professionals. We believe that this bill is an important step toward restoring long held employment principles.

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 mahalo the legislature for continuing to address important employment issues and request to be a part of the dialogue concerning this measure. Thank you for the opportunity to testify.

