



Testimony to the
Senate Committee on Judiciary
and the
Senate Committee on Ways and Means

April 3, 2019
10:00 a.m.
State Capitol - Conference Room 211

RE: HB 1192, HD2, SD1, Relating to Equal Pay

Aloha Chairs Rhoads and Dela Cruz, Vice Chairs Wakai and Keith-Agaran, and members of the committee:

On behalf of the Society for Human Resource Management – Hawaii Chapter (“SHRM Hawaii”), we are writing in opposition to HB 1192, HD2, SD1, relating to equal pay. SHRM Hawaii has a longstanding position of support for initiatives that promote flexibility between employer and employee, rather than requirements that do not take into account unique circumstances. While we strongly support equal pay for equal work, we believe that this bill does not fulfill its intended purpose. Expanding the Equal Pay Act by adding every protected class creates ambiguity over whether, for example, an older employee with more experience level may be paid more than a younger employer with less experience. In addition, clarity is needed regarding what “substantially similar” means in this context. By shifting the responsibility to the employer to explain why there is a pay differential, there could be unintended exposure to liability for employers that is overly broad and very difficult to limit. We oppose this measure.

The mission of SHRM Hawaii is to advance the Human Resource profession’s capacity to drive workplace excellence within business, education, government, and communities in the State of Hawaii. We serve our professionals through building knowledge, expanding experiences, facilitating the development of innovative ideas, and exchanging best practices for success to serve human resource (HR) professionals and advance the human resource profession.

SHRM Hawaii serves nearly 800 members statewide and provides comprehensive information and tools to human resource professionals to enable them to make informed decisions on behalf of both their organization and the employees. We believe that human resource management is a critical component to the success of every business as the HR professional is responsible for evaluating and balancing the needs of both the employers and employees and caring for businesses’ most valuable asset: human capital. This is accomplished through a statewide effort to partner with and support our members, while still recognizing the individual needs of organizations on each island. We look forward to contributing positively to the development of sound public policy and continuing to serve as a resource to the legislature on matters related to labor and employment laws. Mahalo for the opportunity to testify.

