



## **Hawaii Passes Law Requiring Paid Family and Medical Leave Analysis**

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### **Overview**

Hawaii recently passed a law which would require the legislative reference bureau to conduct a sunrise analysis of the impacts of and best framework for the establishment of paid family leave. The analysis will evaluate program design, cost breakdowns and projected impacts to employers by size, and options for compliance and enforcement of a paid family leave program.

The following provides a brief highlight of the new law to assist clients with employees in Hawaii.

### **When Will We See Proposed Paid Family Leave Legislation?**

The law requires that a proposal for paid family leave legislation be submitted to the legislature by September 1, 2019.

### **Why Did This Law Pass?**

Hawaii has long been concerned with access to paid family leave, particularly caregiving leave, since Hawaii has the fastest growing population of individuals over the age of sixty-five in the nation. In 2016, pursuant to a grant from the Department of Labor, the Hawaii Department of Human Services conducted an economic analysis and eligibility and benefit modeling of a paid leave program, as well as a feasibility study to determine ways Hawaii could potentially implement a paid family leave program.

### **What Does This Mean for You and Your Employees?**

Following the September 1, 2019 deadline, Hawaii will develop a paid family leave law and drafting implementing regulations, both of which will be published for public comment and hearing. Employers and other interested parties will have the opportunity to influence the legislative and rulemaking process by expressing concerns and voicing opinions in support of or in opposition to the legislation. Employers may also want to consult their own counsel, pamphlets, handbooks, and other benefit materials to ensure they fully understand what a paid family leave law could mean to their employees and associates.

Frenkel will continue to evaluate this benefit and will advise clients in advance of its effective date of any impacts to absence management services or other applicable coverages. We will provide employers with more information after the rules are finalized.

*Please be aware that this does not represent legal or tax advice and is only Frenkel's interpretation of the laws, regulations and statutes. It is highly recommended that you seek the advice of your legal and tax professional as to the applicability of this information to your particular situation.*