Engage PEO Client Alert:

Hawaii Update

Pursuant to Hawaii Senate Bill 2638 (linked here), effective January 1, 2021, Hawaii Revised Statute section 378-2 will provide a new list of documentation that employers may request to verify if an employee was in fact a victim of domestic or sexual violence.

Below is a list of the new documentation that employers will be permitted to request to make such determination beginning 2021:

1. "Certified or exemplified restraining orders, injunctions against harassment, and documents from criminal cases"
2. "Documentation from a victim services organization or domestic or sexual violence program, agency, or facility, including a shelter or safe house for victims of domestic or sexual violence"; or
3. Documentation from a medical professional, mental health care provider, attorney, advocate, social worker, or member of the clergy from whom the employee or the employee's minor child has sought assistance in relation to the domestic or sexual violence.

Please contact your HR Consultant if you have any questions.