

REPORT OF THE COMMITTEE ON EXECUTIVE MATTERS AND LEGAL AFFAIRS

Voting Members:

Tyler Dos Santos-Tam, Chair; Radiant Cordero, Vice-Chair;
Esther Kia'āina, Val A. Okimoto, Calvin K.Y. Say, Augie Tulba,
Andria Tupola, Tommy Waters, Matt Weyer

Committee Meeting Held
February 7, 2023

Honorable Tommy Waters
Chair, City Council
City and County of Honolulu

Mr. Chair:

Your Committee on Executive Matters and Legal Affairs, which considered Bill 25 (2021), CD1 entitled:

"A BILL FOR AN ORDINANCE RELATING TO ANTI-BIAS AND
INCLUSION POLICY,"

which passed second reading and was the subject of a public hearing held at the January 25, 2023 Council meeting, reports as follows:

The purpose of Bill 25 (2021), CD1 is to promote an environment that embraces diversity and safety for the citizenry and employees of the City and County of Honolulu by establishing a policy of anti-bias and inclusion for all City officers and employees, including those with different perspectives, views, or opinions.

The Director of the Department of Human Resources testified in support of the Bill.

At your Committee's meeting on February 7, 2023, three individuals testified remotely in support of the Bill.

Written testimony in support of the Bill was received from two individuals.

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ADOPTED ON

FEB 22 2023

COMMITTEE REPORT NO. 18

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Your Committee considered and approved a proposed CD2 (OCS2023-0082/2/1/2023 2:41 PM) version which makes the following amendments:

- A. Amends SECTION 2 of the bill as follows:
 - 1. Amends proposed ROH Section 1-__3 ("Training program") to amend subsection (d) to direct City department and agency heads to ensure that all officers and employees under their authority participate in the biennial anti-bias and inclusion training program being developed under that ROH Section.
 - 2. Amends proposed ROH Section 1-__3 to amend subsection (e) to direct the Director of Human Resources or their designee to retain records demonstrating that the anti-bias and inclusion training program being established by the ordinance has been made available to City officers and employees, and to direct the heads of City departments and agencies to keep and retain records confirming that the officers and employees under their authority participated in the training.
- B. Amends SECTION 3 of the bill to provide that the biennial training program being established under the ordinance shall be "developed, implemented, and monitored by January 1, 2024."
- C. Makes miscellaneous technical and non-substantive amendments.

CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ADOPTED ON

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COMMITTEE REPORT NO. 18

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EXECUTIVE MATTERS AND LEGAL AFFAIRS**

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Your Committee on Executive Matters and Legal Affairs is in accord with the intent and purpose of Bill 25 (2021), CD1, as amended herein, and recommends that it pass third reading in the form attached hereto as Bill 25 (2021), CD2. (Ayes: Cordero, Dos Santos-Tam, Kia'aina, Okimoto, Say, Tulba, Tupola, Waters, Weyer – 9; Noes: None.)

Respectfully submitted,



Committee Chair

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ADOPTED ON FEB 22 2023

COMMITTEE REPORT NO. 18



A BILL FOR AN ORDINANCE

RELATING TO ANTI-BIAS AND INCLUSION POLICY.

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. Purpose. The purpose of this ordinance is to promote an environment that embraces diversity and safety for the citizenry and employees of the City and County of Honolulu by establishing a policy of anti-bias and inclusion for all City officers and employees, including those with different perspectives, views, or opinions.

SECTION 2. Chapter 1, Revised Ordinances of Honolulu 2021 ("General Provisions"), is amended by adding a new article to be appropriately designated by the Revisor of Ordinances and to read as follows:

"ARTICLE __. ANTI-BIAS AND INCLUSION POLICY

§ 1-__1 Definitions.

Anti-Bias. Opposing or preventing discrimination against people based on race, color, religion, gender, national origin, age, disability, sex, sexual orientation, gender identity, pregnancy, or other protected characteristics, including stereotyped attributions of particular qualities toward an individual or group.

City. The City and County of Honolulu.

Department. The department of human resources.

Director. The director of human resources.

Inclusion. Creating environments in which any individual or group can, on an ongoing basis, be welcomed, respected, supported, and valued to fully participate.

Officer. Has the same meaning as defined under § 1-4.1.

§ 1-__2 Policy of anti-bias and inclusion.

It is the policy of the City and County of Honolulu to encourage anti-bias and inclusion by city officers and employees. It is also city policy to ensure that all such persons receive anti-bias and inclusion training to help provide an environment that embraces diversity and safety within and around city facilities.



A BILL FOR AN ORDINANCE

§ 1-__3 Training program.

- (a) The director of human resources shall develop, implement, and monitor an anti-bias and inclusion training program for all city officers and employees.
- (b) The training program must include, but need not be limited to, instruction based on best practices and information from experts in the fields of diversity, equity, or inclusion.
- (c) The director shall periodically assess the training materials and update them as needed.
- (d) Employing department and agency heads shall ensure that all city officers and employees under their authority participate at least biennially in the training provided pursuant to this article.
- (e) The director or the director's designee shall retain records demonstrating that the city has made training available to officers and employees pursuant to this article. Employing department and agency heads shall ensure that records are kept and retained confirming that the officers and employees under their authority participated in the training.

§ 1-__4 Rules.

The director may adopt rules pursuant to HRS Chapter 91 to implement, administer, and enforce this article."



CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ORDINANCE _____

BILL 25 (2021), CD2

A BILL FOR AN ORDINANCE

SECTION 3. This ordinance takes effect upon approval; provided that the biennial training described in Section 1-__3, Revised Ordinances of Honolulu 2021, as enacted in SECTION 2 of this ordinance, shall be developed, implemented, and monitored by January 1, 2024.

INTRODUCED BY:

Carol Fukunaga

DATE OF INTRODUCTION:

April 29, 2021
Honolulu, Hawai'i

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

Deputy Corporation Counsel

APPROVED this _____ day of _____, 20 _____.

RICK BLANGIARDI, Mayor
City and County of Honolulu