
A BILL FOR AN ACT

RELATING TO WORKERS' RIGHTS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 388, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§388- Payment of pension upon disability. An employer
5 that provides pension benefits to its employees shall ensure
6 that an employee who has vested under the employer's pension
7 plan shall be eligible for payment of pension benefits upon
8 suffering a disability, as defined in section 392-3, regardless
9 of the employee's age."

10 SECTION 2. Section 386-89, Hawaii Revised Statutes, is
11 amended by amending subsection (b) to read as follows:

12 "(b) The director [~~may~~] at any time, either of the
13 director's own motion or upon the application of any party, may
14 reopen any case on the ground that [~~fraud~~]:

15 (1) Fraud has been practiced on the director or on any
16 party; or



H.B. NO. 2743

Report Title:

Workers' Rights; Pension Benefits; Workers' Compensation

Description:

Requires private employers who provide pension plans to their employees to allow an employee who has vested to receive pension payments upon becoming disabled, regardless of age. Permits director of labor and industrial relations to reopen workers' compensation cases after settlement if settlement was obtained by exerting undue influence over any party or as a result of the disability or mental incompetence of the employee.

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