



**STATE OF HAWAII  
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS**

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February 6, 2012

To: The Honorable Gilbert S.C. Keith-Agaran, Chair, Karl Rhoads, Vice Chair,  
and Members of the House Committee on Judiciary

Date: Tuesday, February 7, 2012  
Time: 2:00 p.m.  
Place: Conference Room 325, State Capitol

From: Dwight Y. Takamine, Director  
Department of Labor and Industrial Relations (DLIR)

**Re: H.B. No. 1679, H.D. 1 Relating to Wages**

**I. OVERVIEW OF PROPOSED LEGISLATION**

H.B. No. 1679, HD proposes to provide employees with wage and employer information at the time of hiring and during the course of employment.

DLIR strongly supports the measure as written.

**II. CURRENT LAW**

The Wage and Hour Law requires the employer to provide basic pay information on an individual's pay statement.

**III. COMMENTS ON THE HOUSE BILL**

The bill as currently written would increase the information that is required to be provided on pay statements of employees which would give greater clarity and transparency to the employee on what he or she is being paid, at what rates and for how many hours. This would also make it easier for the employee to budget his or her finances in this time of economic hardship where keeping track of each dollar earned is essential.

Further, if passed, these sections would enhance the investigatory and enforcement capabilities of the Wage Standard Division.



**Testimony to the House Committee on Judiciary  
Tuesday, February 7, 2012 at 2:00 p.m.  
Conference Room 325, State Capitol**

**RE: HOUSE BILL 1679 RELATING TO PUBLIC MEETINGS**

Chair Keith-Agaran, Vice Chair Rhoads, and Members of the Committee:

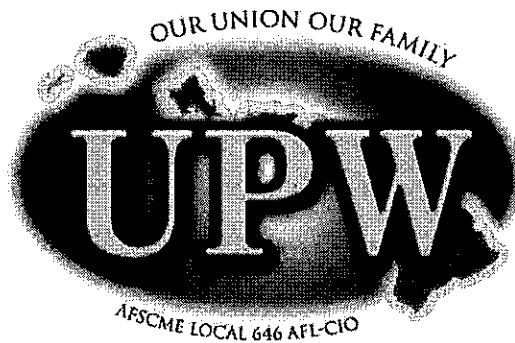
The Chamber of Commerce of Hawaii ("The Chamber") proposes **amendments to HB 1679** relating to Wages.

The Chamber is the largest business organization in Hawaii, representing more than 1,100 businesses. Approximately 80% of our members are small businesses with less than 20 employees. As the "Voice of Business" in Hawaii, the organization works on behalf of its members, which employ more than 200,000 individuals, to improve the state's economic climate and to foster positive action on issues of common concern.

We respectfully ask that the committee delete, page 4, lines 15-17, which reads, "At the request of an employee, the employer shall provide an explanation in writing of how the wages were computed."

This mandate is unnecessary since the information given in each paycheck would already be very specific and detailed so employees should be able determine their wages from that information. Furthermore, this requirement places an additional administrative burden and cost on employers.

Thank you for this opportunity to express our views.



THE HAWAII STATE HOUSE OF REPRESENTATIVES  
The Twenty-Sixth Legislature  
Regular Session of 2012

**COMMITTEE ON JUDICIARY**

The Honorable Rep. Gilbert S. C. Keith-Agaran, Chair  
The Honorable Rep. Karl Rhoads, Vice Chair

DATE OF HEARING: Tuesday, February 7, 2012  
TIME OF HEARING: 2:00 p.m.  
PLACE OF HEARING: Conference Room 325

**TESTIMONY ON HB 1679 HD1 RELATING TO WAGES**

By DAYTON M. NAKANELUA,  
State Director of the United Public Workers,  
AFSCME Local 646, AFL-CIO ("UPW")

My name is Dayton M. Nakanelua and I am the State Director of the United Public Workers, AFSCME, Local 646, AFL-CIO (UPW). The UPW is the exclusive representative for approximately 11,000 public employees, which include blue collar, non-supervisory employees in Bargaining Unit 01 and institutional, health and correctional employees in Bargaining Unit 10, in the State of Hawaii and various counties. The UPW also represents about 1,500 members of the private sector.

The UPW supports HB 1679 HD1, which requires employers to provide employees with specific wage and employer information in employees' pay records. It is important that employees be made aware of their wages, not just at the time of their hire, but throughout their employment. It is often the case that employees are not given clear information about their wages. Other types of compensation, such as overtime and family leave are often not fully explained either.

Additionally, this bill increases record keeping requirements for employers, thereby strengthening the Wage Standards Division's investigatory and enforcement capabilities with regard to complaints.

Accordingly, the UPW is in support of HB 1679 HD1.

Thank you for the opportunity to testify on this measure.

The Twenty-Sixth Legislature  
Regular Session of 2012

**HOUSE OF REPRESENTATIVES**

Committee on Judiciary

Rep. Gilbert S.C. Keith-Agaran, Chair

Rep. Karl Rhoads, Vice Chair

State Capitol, Conference Room 325

Tuesday, February 7, 2012; 2:00 p.m.

**STATEMENT OF THE ILWU LOCAL 142 ON H.B. 1679, HD1  
RELATING TO WAGES**

The ILWU Local 142 supports H.B. 1679, HD1, which requires employers to provide employees with specific wage and employer information in employees' pay records.

Employees should be aware of their wages at the time of hire and throughout their tenure on the job. Very often, however, information about wages and other compensation is not clearly explained to the employee and may result in an employee not receiving full compensation. The more an employee knows, the more he can ensure that his compensation is as promised.

Standing Committee Report #19-12 indicates that penalty provisions are increased for employer noncompliance. However, unless we are mistaken, language in HD1 seems to delete penalty provisions as well as the requirement to provide the information at the time of hire.

Education of employers and employees will be critical to the successful implementation of this law. Employers must clearly understand what is required of them so that proper records can be kept and notification provided. Employees must be made aware of the law and advised to check their records to be sure that all compensation promised is being paid.

The ILWU urges passage of H.B. 1679, HD1. Thank you for the opportunity to testify.

Testimony for HB1679 on 2/7/2012 2:00:00 PM

**Testimony for HB1679 on 2/7/2012 2:00:00 PM**

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

**Sent:** Tuesday, February 07, 2012 5:19 AM

**To:** JUDtestimony

**Cc:** Lardizabal@local368.org

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Testimony for JUD 2/7/2012 2:00:00 PM HB1679

Conference room: 325

Testifier position: Support

Testifier will be present: Yes

Submitted by: Al Lardizabal

Organization: Hawaii Labores Union

E-mail: Lardizabal@local368.org

Submitted on: 2/7/2012

Comments: