

JAN 17 2014

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# A BILL FOR AN ACT

RELATING TO COMPENSATION.

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

1           SECTION 1. Section 104-1, Hawaii Revised Statutes, is  
2 amended to read as follows:

3           "**§104-1 Definitions.** As used in this chapter, the  
4 following words and phrases shall have the following meanings:

5           (1) "Basic hourly rate" means the hourly wage paid to a  
6 laborer or mechanic for work performed during  
7 nonovertime hours, but shall not include the cost to  
8 an employer of furnishing fringe benefits whether paid  
9 directly or indirectly to the laborer or mechanic as  
10 provided in paragraph (7);

11           (2) "Construction" includes alteration, repair, painting,  
12 and decorating;

13           (3) "Department" means the department of labor and  
14 industrial relations;

15           (4) "Director" means the director of labor and industrial  
16 relations of the State;



1 (5) "Governmental contracting agency" means the State, any  
2 county and any officer, bureau, board, commission, or  
3 other agency or instrumentality thereof;

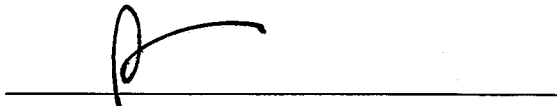

4 (6) "Overtime compensation" means compensation based on  
5 not less than one and one-half times the laborers or  
6 mechanics basic hourly rate of pay plus the cost to an  
7 employer of furnishing a laborer or mechanic with  
8 fringe benefits as described in paragraph (7); and

9 (7) "Wages", "rate of wages", "wage rates", "minimum  
10 wages", and "prevailing wages" mean the basic hourly  
11 rate and the cost to an employer of furnishing a  
12 laborer or mechanic with fringe benefits, including  
13 but not limited to health and welfare benefits,  
14 vacation benefits, and pension benefits, whether paid  
15 directly or indirectly to the laborer or mechanic."

16 SECTION 2. New statutory material is underscored.

17 SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY:   


# S.B. NO. 2704

**Report Title:**

Overtime Compensation; Public Works

**Description:**

Adds flexibility to the calculation of overtime compensation for government public works construction contracts greater than \$2,000 allowing such compensation to be not less than 1½ times the laborers or mechanics basic hourly rate of pay plus the cost of fringe benefits.

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