

Honolulu, Hawaii

April 28, 2017

RE: H.B. No. 208
H.D. 2
S.D. 2
C.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Ninth State Legislature
Regular Session of 2017
State of Hawaii

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2017
State of Hawaii

Sirs:

Your Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 208, H.D. 2, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO LABOR,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to:

- (1) Require the Department of Labor and Industrial Relations to issue a stop-work order for employers who fail to procure proper workers' compensation insurance or provide their employees with information on workers' compensation rights and claims for benefits;
- (2) Require employees affected by a stop-work order to be paid for the time lost, up to ten days;



- (3) Establish a procedure for an employer to protest a stop-work order;
- (4) Reduce the period from 30 to 14 days to expedite compliance with security for compensation;
- (5) Authorize the Department of Labor and Industrial Relations to issue an order of wage payment violation to an employer in violation of provisions regarding payment of wages and other compensation; and
- (6) Establish penalties, enforcement, and appeal procedures for orders of wage payment violations.

Your Committee on Conference has amended this measure by:

- (1) Deleting language related to stop-work orders and restoring statutory language concerning the penalty for employers who fail to procure proper workers' compensation insurance;
- (2) Restoring statutory language making an employer who fails to pay wages liable to the employee for a sum equal to the amount of unpaid wages and interest at a rate of six percent per year from the date the wages were due in addition to the wages legally proven to be due relative to order of wage payment violations;
- (3) Making it effective upon its approval; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 208, H.D. 2, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 208, H.D. 2, S.D. 2, C.D. 1.



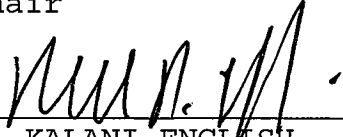
Respectfully submitted on behalf
of the managers:


ON THE PART OF THE SENATE

ON THE PART OF THE HOUSE


GILBERT S.C. KEITH-AGARAN
Chair


AARON LING JOHANSON
Co-Chair


J. KALANI ENGLISH
Co-Chair


SCOTT Y. NISHIMOTO
Co-Chair


DANIEL HOLT
Co-Chair



Record of Votes of a Conference Committee

Bill / Concurrent Resolution No.: HB 208, HD 2, SD 2	Date/Time: 4/28/17 5:05 PM
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The recommendation of the House and Senate managers is to pass with amendments (CD).

The Committee is reconsidering its previous decision.

<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure	<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.
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Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
KEITH-AGARAN, Gilbert S.C., Chr.	✓				JOHANSON, Aaron Ling, Co-Chr.	✓			
ENGLISH, J. Kalani, Co-Chr.	✓				NISHIMOTO, Scott Y., Co-Chr.	✓			
RHOADS, Karl				✓	HOLT, Daniel, Co-Chr.	✓			
					MATSUMOTO, Lauren Kealohilani	✓			
TOTAL	2			1	TOTAL	4			

A = Aye WR = Aye with Reservations N = Nay E = Excused

Senate Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted	House Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted
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Senate Lead Chair's or Designee's Signature: 	House Lead Chair's or Designee's Signature:
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Distribution:
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Senate Clerk's Office
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