

STAND. COM. REP. NO.

528

Honolulu, Hawaii

February 17, 2017

RE: H.B. No. 208  
H.D. 2

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

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 208, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO LABOR,"

begs leave to report as follows:

The purpose of this measure is to improve the effectiveness of enforcement of the employers' obligation to provide workers' compensation by authorizing the Director of Labor and Industrial Relations to issue and serve on an employer a stop-work order that prohibits the employer's use of employee labor until the employer complies with certain provisions regarding security for payment of compensation to employees. The measure also establishes penalties, enforcement, and protest procedures related to stop-work orders.

Pacific Resource Partnership, Hawaii Construction Alliance, RAM Corporation dba Allied Builders System, Alan Shintani, Inc., BKA Builders, Inc., Hawaii State Teachers Association, IMUAlliance, and an individual testified in support of the measure. The Subcontractors Association of Hawaii testified in opposition. The Department of Labor and Industrial Relations, General Contractors Association of Hawaii, Building Industry Association of Hawaii, Hawaii Laborers-Employers Cooperation and Education Trust, and The Chamber of Commerce Hawaii provided comments.

HB208 HD2 HSCR JUD HMS 2017-1921



Your Committee has amended this measure by:

- (1) Deleting a proposed statute section on enforcement;
- (2) Clarifying the requirements for providing employees with information relating to the employer's workers compensation program;
- (3) Clarifying the processes for the Department of Labor and Industrial Relations' enforcement and the employer's appeal of a stop-work order; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 208, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 208, H.D. 2.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary,



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SCOTT Y. NISHIMOTO, Chair



