

JAN 18 2019

A BILL FOR AN ACT

RELATING TO LABOR.

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

1 SECTION 1. The legislature finds that the Hawaii Supreme
2 Court's decision in Konno v. County of Hawaii, 85 Haw. 61
3 (1997), affirmed that civil service jobs cannot be performed by
4 private contractors if the work involved has been customarily
5 and historically provided by civil servants.

6 The legislature further finds that service employees of
7 contractors under state or county contracts require greater wage
8 protection than is currently afforded. Unlike chapter 104,
9 Hawaii Revised Statutes, which covers public works construction,
10 section 103-55, Hawaii Revised Statutes, does not provide
11 sufficient provisions to ensure compliance.

12 The purpose of this Act is to ensure that service employees
13 of state or county contractors are paid at wages or salaries
14 that are certified to be accurate and in accordance with
15 applicable labor laws under chapter 104, Hawaii Revised
16 Statutes, so as to be consistent with the Supreme Court's
17 decision in Konno.



S.B. NO. 292

1 SECTION 2. Section 103-55, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

3 "(a) Before any offeror enters into a contract to perform
4 services in excess of \$25,000 for any governmental agency, the
5 offeror shall certify that the services to be performed will be
6 performed under the following conditions:

7 Wages. The services to be rendered shall be performed by
8 employees paid at wages or salaries not less than the wages paid
9 to public officers and employees for similar work.

10 Compliance with labor laws. All applicable laws of the
11 federal and state governments relating to workers' compensation,
12 unemployment compensation, payment of wages, and safety will be
13 fully complied with. Certified payrolls shall be submitted, and
14 the administration and enforcement thereof shall be in
15 accordance with sections 104-2(d), 104-2(e), 104-3, 104-4, and
16 104-21 to 104-33."

17 SECTION 3. New statutory material is underscored.

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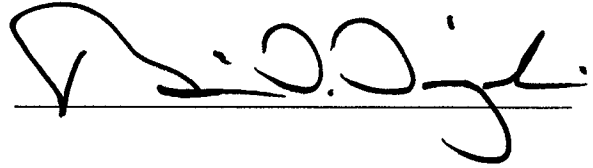


S.B. NO. 292

1 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY:





S.B. NO. 292

Report Title:

Wages; Labor; Contractors; Payroll

Description:

Requires that a contractor contracting for services with a civil servant submit certified payrolls and comply with certain wages and hours laws.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

