
A BILL FOR AN ACT

RELATING TO A LIVING WAGE.

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

1 SECTION 1. Chapter 103, Hawaii Revised Statutes, is
2 amended by adding a new section to part I to be appropriately
3 designated and to read as follows:

4 "§103- Living wage; public contracts. (a)

5 Notwithstanding any other provision to the contrary, every
6 employer doing business with a state agency pursuant to a
7 contract, subcontract, lease, sublease, permit, or license,
8 shall pay to each of its employees a wage of not less than \$15
9 per hour worked, adjusted annually by the cumulative increase in
10 the cost of living. The cost-of-living increase shall be
11 changed in December of each year according to the percentage, if
12 any, by which the consumer price index for that calendar year
13 exceeds the consumer price index for the prior calendar year.
14 The consumer price index for any calendar year is the average of
15 the consumer price index for all urban consumers published by
16 the United States Department of Labor or the successor index or



1 federal agency, as of the close of the twelve-month period
2 ending on August 31 of each calendar year.

3 (b) Tips or gratuities received by employees shall not be
4 credited as being any part of or offset against the wage rate
5 required by this section. The wage rate shall only be waived
6 pursuant to a bona fide collective bargaining agreement;
7 provided that the waiver is clearly and unambiguously set forth
8 in the terms of the agreement.

9 (c) Every employer doing business with a state agency
10 pursuant to a concession contract or subcontract entered into
11 with the state agency after the effective date of this section
12 shall retain for a minimum period of one hundred twenty days,
13 all workers employed under an immediate prior concession
14 contract or subcontract who were employed at the end of that
15 contract or subcontract, provided that:

16 (1) During the one hundred twenty day period, employees
17 may be terminated only for cause;

18 (2) The employer shall retain the workers in the same or
19 equivalent job classifications held by the workers
20 under the previous concessionaire; and



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1 (3) If the number of workers eligible for retention
 2 pursuant to this section is greater than the number of
 3 positions available in the new or expanded concession,
 4 the employer shall retain eligible workers in order of
 5 each worker's seniority, as determined by the worker's
 6 total length of service under one or more applicable
 7 concessionaires.

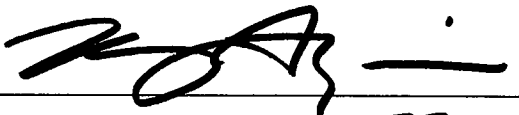

8 (d) As used in this section:
 9 "Concession" has the same meaning as provided in section
 10 102-1.

11 "State agency" means any executive department, independent
 12 commission, board, bureau, office, or other establishment of the
 13 State, the judiciary, the university of Hawaii, or any quasi-
 14 public institution that is supported in whole or in part by
 15 state funds."

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: 
 JAN 22 2020 



H.B. NO. 2497

Report Title:

Public Contracts; Living Wage

Description:

Requires employers doing business with state agencies pursuant to a contract, subcontract, lease, sublease, permit, or license, to pay to each of its employees a wage of not less than \$15 per hour worked, adjusted annually for any increase in the cost of living. Requires concessionaires to retain employees of prior concessionaires.

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