

STAND. COM. REP. NO. **3550**

Honolulu, Hawaii

**MAY 18 2020**

RE: H.B. No. 2350  
H.D. 2  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirtieth State Legislature  
Regular Session of 2020  
State of Hawaii

Sir:

Your Committee on Labor, Culture and the Arts, to which was referred H.B. No. 2350, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS,"

begs leave to report as follows:

The purpose and intent of this measure is to update various assessments and penalties under the Department of Labor and Industrial Relations' jurisdiction by revising the monetary assessments according to changes in the Consumer Price Index.

Your Committee received testimony in support of this measure from Pacific Resource Partnership and Hawaii Regional Council of Carpenters. Your Committee received comments on this measure from the Department of Labor and Industrial Relations and United Public Workers, AFSCME Local 646, AFL-CIO.

Your Committee finds that the penalties in this measure have not been raised since the enactment of the establishing statutes. According to the Bureau of Labor Statistics, the equivalent of many of the penalties with inflation were often double the current statutorily set amount. As such, your Committee also finds, these penalties have lost their deterrent effect and that meaningful increases are needed to keep unfair treatment in check. Adjusting the penalties to keep pace with the cost of living demonstrates



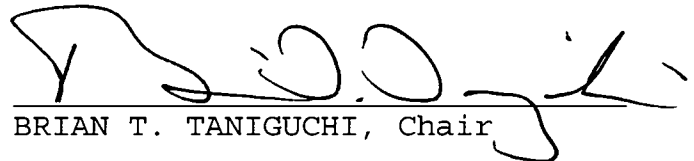
the State's investment in workers as well as its support for sustaining responsible employers who follow the labor laws.

Your Committee has amended this measure by:

- (1) Making it effective upon its approval; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2350, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2350, H.D. 2, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Respectfully submitted on  
behalf of the members of the  
Committee on Labor, Culture and  
the Arts,

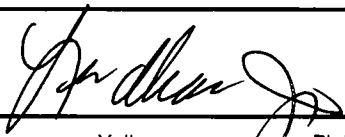


BRIAN T. TANIGUCHI, Chair



The Senate  
Thirtieth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Labor, Culture and the Arts**  
**LCA**

Bill / Resolution No.:*	Committee Referral:	Date:		
<i>HB 2350 HD2</i>	<i>LCA, JDC/WAM</i>	<i>3-10-20</i>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312	<input checked="" type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310		
<input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
TANIGUCHI, Brian T. (C)	✓			
IHARA, Jr., Les (VC)	✓			
CHANG, Stanley	✓			
GABBARD, Mike				✓
FEVELLA, Kurt				✓
<b>TOTAL</b>	<i>3</i>	<i>0</i>	<i>0</i>	<i>2</i>
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

\*Only one measure per Record of Votes