
HOUSE CONCURRENT RESOLUTION

REQUESTING THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS TO
COMPLETE A COMPARATIVE STUDY OF ITS POLICIES ON YOUTH
EMPLOYMENT AND FEDERAL REQUIREMENTS FOR YOUTH EMPLOYMENT
UNDER THE FAIR LABOR STANDARDS ACT.

1 WHEREAS, the Department of Labor and Industrial Relations
2 maintains responsibility for the regulation and maintenance of
3 employment for minors under the age of eighteen pursuant to
4 chapter 390, Hawaii Revised Statutes; and
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6 WHEREAS, only fifty-one percent of Hawaii's public school
7 graduates from the class of 2021 went on to post-secondary
8 education in the first fall after graduation, leaving nearly
9 half of Hawaii's youth in need of post-secondary plans; and
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11 WHEREAS, high school graduates with no post-secondary plans
12 traditionally struggle to enjoy the same economic gains, quality
13 of life, and general levels of success as high school graduates
14 who enroll in and complete post-secondary education or certified
15 post-secondary apprenticeship programs within four years of
16 graduation from a secondary education institution; and
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18 WHEREAS, only a small subset of Hawaii's youth have access
19 to fulfilling, hands-on work-based learning opportunities with
20 compensation; and
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22 WHEREAS, positive work-based learning experiences have been
23 shown to improve college-going rates and educational outcomes,
24 particularly for at-risk and disadvantaged youth who are
25 statistically less likely to make formal plans for careers or
26 education after completing their secondary education; and
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1 WHEREAS, there is a need for the Department of Labor and
2 Industrial Relations to implement systems which make work-based
3 learning more accessible to Hawaii's youth; and

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5 WHEREAS, the State has the responsibility to ensure that
6 all of its policies and procedures are ready and waiting to meet
7 the needs of a high-leverage, statewide work-based learning
8 program for Hawaii's youth; and

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10 WHEREAS, the State must continue to protect the safety and
11 well-being of its youth in any workplace; and

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13 WHEREAS, the United States Department of Labor does not
14 require states to issue employment certificates or age
15 certifications for minors engaging in work; and

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17 WHEREAS, thirty states do not require the issuance of an
18 employment certificate and age certification for a minor
19 engaging in work; and

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21 WHEREAS, unlike those other states, Hawaii currently
22 requires an employment certificate and age certification for a
23 minor engaging in work; and

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25 WHEREAS, revisiting and studying Hawaii's current
26 requirements are important to set a foundation for collective
27 action, public- and private-sector partnerships, and other means
28 of promoting work-based learning opportunities and labor
29 standards that protect youth, provide students with an ample
30 choice of industries in which to gain experience, and ensure
31 streamlined processes that enable more employers to offer
32 experiences to students; now, therefore,

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34 BE IT RESOLVED by the House of Representatives of the
35 Thirty-second Legislature of the State of Hawaii, Regular
36 Session of 2023, the Senate concurring, that the Department of
37 Labor and Industrial Relations is requested to complete a
38 comparative study of its policies on youth employment and
39 federal requirements for youth employment under the Fair Labor
40 Standards Act; and

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H.C.R. NO. 58

1 BE IT FURTHER RESOLVED that in conducting its comparative
2 study, the Department of Labor and Industrial Relations is
3 requested to report on:

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- 5 (1) How states with less certification requirements,
6 including Arizona, Kentucky, and Oregon, are able to
7 ensure access to and oversight of work-based learning
8 for minors;
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- 10 (2) Whether current state youth employment permitting
11 requirements create any barriers to expanded work-
12 based learning opportunities for youth; and
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- 14 (3) The anticipated actions needed by the State to
15 transition its youth employment policies so that they
16 do not impose requirements that exceed the federal
17 minimum for youth employment under the Fair Labor
18 Standards Act; and
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20 BE IT FURTHER RESOLVED that the Department of Labor and
21 Industrial Relations is requested to submit its findings and
22 recommendations, including any proposed legislation, to the
23 Legislature no later than twenty days prior to the convening of
24 the Regular Session of 2024; and

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26 BE IT FURTHER RESOLVED that certified copies of this
27 Concurrent Resolution be transmitted to the Governor; Director
28 of Labor and Industrial Relations; Director of Business,
29 Economic Development, and Tourism; Superintendent of Education;
30 and President of the University of Hawaii.

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OFFERED BY: _____



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