

STAND. COM. REP. NO.

1052

Honolulu, Hawaii

MAR 03 , 2023

RE: H.B. No. 1087  
H.D. 2

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-Second State Legislature  
Regular Session of 2023  
State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 1087, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE WAGE AND HOUR LAW,"

begs leave to report as follows:

The purpose of this measure is to amend the definition of "employee" in Hawaii's wage and hour law by realigning the guaranteed compensation of \$2,000 or more to a sum that is at least equal to the monthly earnings of an individual who is compensated at the minimum wage rate pursuant to section 387-2, Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from the Hawai'i State AFL-CIO, Democratic Party of Hawaii Labor Caucus, Democratic Party of Hawai'i Education Caucus, Imua Alliance, Save Medicaid Hawaii, and sixteen individuals. Your Committee received comments on this measure from the Department of Labor and Industrial Relations.

Your Committee finds that this measure would increase the number of workers who receive protections afforded by the minimum wage rates, overtime, rates, and recordkeeping protections that exist for employees and employers covered under the State's wage and hour law.

2023-2394.HB1087 HD2 HSCR HMSO



Your Committee has amended this measure by:

- (1) Amending the definition of "employee" in Hawaii's wage and hour law to repeal the exclusion of employees who receive guaranteed compensation totaling \$2,000 or more a month, rather than realigning the guaranteed compensation of \$2,000 or more to a sum that is at least equal to the monthly earnings of an individual who is compensated at the minimum wage rate pursuant to section 387-2, Hawaii Revised Statutes; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1087, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1087, H.D. 2.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary &  
Hawaiian Affairs,



---

DAVID A. TARNAS, Chair



State of Hawaii  
House of Representatives  
The Thirty-second Legislature

HSCR 1052

**Record of Votes of the Committee on Judiciary & Hawaiian Affairs**

Bill/Resolution No.: <b>HB 1087, HD1</b>	Committee Referral: <b>LGO, JHA</b>	Date: <b>3/1/2023</b>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
JHA Members	Ayes	Ayes (WR)	Nays	Excused
1. TARNAS, David A. (C)	/			
2. TAKAYAMA, Gregg (VC)	/			
3. GANADEN, Sonny	/			
4. HOLT, Daniel	/			
5. HASHIMOTO, Troy N.	/			
6. ICHIYAMA, Linda				/
7. ILAGAN, Greggor	/			
8. KONG, Sam Satoru	/			
9. MIZUNO, John M.	/			
10. SOUZA, Kanani	/			
<b>TOTAL (10)</b>	9	-	-	1
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small>committee acronym(s)</small>				
Vice Chair's or designee's signature: _____ 				
<b>Distribution:</b> Original (White) – Committee            Duplicate (Yellow) – Chief Clerk's Office            Duplicate (Pink) – HMSO				