

JAN 24 2024

---

---

# A BILL FOR AN ACT

RELATING TO WAGES AND HOURS OF EMPLOYEES ON PUBLIC WORKS.

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

1           SECTION 1. The legislature finds that existing law  
2 prohibits laborers and mechanics from working on Saturdays,  
3 Sundays, and state holidays, on certain state public work job  
4 sites unless the laborer or mechanic receives overtime  
5 compensation for all hours worked that day.

6           The legislature further finds that due to this overtime  
7 compensation requirement, contractors refrain from scheduling  
8 employees to work on Saturdays, Sundays, and state holidays,  
9 even when the employees are prevented from working forty hours  
10 during the week due to conditions and circumstances beyond the  
11 contractor's control. This practice deprives employees from  
12 receiving full weekly pay and unnecessarily delays the  
13 completion of the public project.

14           The purpose of this Act is to authorize laborers and  
15 mechanics to work on Saturdays, Sundays, and state holidays, at  
16 the regular hourly rate as permitted under a collective  
17 bargaining agreement.



1 SECTION 2. Section 104-2, Hawaii Revised Statutes, is  
2 amended by amending subsection (c) to read as follows:

3 "(c) No laborer or mechanic employed on the job site of  
4 any public work of the State or any political subdivision  
5 thereof shall be permitted or required to work on Saturday,  
6 Sunday, or a legal holiday of the State or in excess of eight  
7 hours on any other day unless the laborer or mechanic receives  
8 overtime compensation for all hours worked on Saturday, Sunday,  
9 and a legal holiday of the State or in excess of eight hours on  
10 any other day[-], except when an applicable collective  
11 bargaining agreement sets the basic hourly rates for work on  
12 Saturday, Sunday, or a legal holiday of the State. The rate for  
13 overtime compensation and any other premium rates of pay shall  
14 be those rates specified in an applicable collective bargaining  
15 agreement when the basic hourly rate is established by a  
16 collective bargaining agreement.

17 For purposes of determining overtime compensation under  
18 this subsection, the basic hourly rate of any laborer or  
19 mechanic shall not be less than the basic hourly rate determined  
20 by the director to be the prevailing basic hourly rate for



# S.B. NO. 3293

1 corresponding classes of laborers and mechanics on projects of  
2 similar character in the State."

3 SECTION 3. Statutory material to be repealed is bracketed  
4 and stricken. New statutory material is underscored.

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

6

INTRODUCED BY: *Anna Mercedes K*



# S.B. NO. 3293

**Report Title:**

Wages and Hours; Employees on Public Works; Exception

**Description:**

Establishes an exemption to overtime compensation for employees on public works projects working on a Saturday, Sunday, or state holiday under certain conditions.

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

