

JAN 23 2025

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# A BILL FOR AN ACT

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RELATING TO EMPLOYMENT.

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

1       SECTION 1. The legislature finds that hospitality workers  
2 frequently work in isolated conditions, placing the workers at  
3 increased risk of harassment and assault. Media reports have  
4 documented cases in which workers were targeted due to a lack of  
5 adequate protections. In 2019, the State of Washington enacted  
6 legislation to address these concerns by requiring employers in  
7 the hospitality industry to implement anti-harassment measures,  
8 provide training, and equip workers with panic buttons.

9       Accordingly, the purpose of this Act is to implement  
10 similar protections for hospitality workers in Hawaii.

11       SECTION 2. The Hawaii Revised Statutes is amended by  
12 adding a new chapter to be appropriately designated and to read  
13 as follows:

14                                   **"CHAPTER**

15   **HOSPITALITY WORKER PROTECTIONS**

16       §   -1 **Definitions.** As used in this chapter, unless the  
17 context otherwise requires:



"Harassment" means unwelcome conduct based on protected characteristics including sex, race, national origin, or sexual orientation, that creates a hostile, intimidating, or offensive working environment.

"Hospitality employer" means a person or entity licensed in the State to operate a hotel or similar lodging.

"Hospitality worker" means a person employed by a hospitality employer to:

- (1) Clean guest rooms or restrooms;
- (2) Deliver meals to private rooms; or
- (3) Perform maintenance or front desk operations.

"Panic button" means a portable emergency communication device that allows a hospitality worker to immediately summon on-site assistance if the worker reasonably believes they are in danger.

"Retaliation" means any adverse employment action taken against an employee for reporting harassment, utilizing a panic button, or participating in an investigation or proceeding under this chapter.

§ -2 **Employer responsibilities.** Each hospitality employer shall:



(1) Adopt a written policy prohibiting the harassment of  
hospitality workers. The policy shall:

(A) Include procedures for a hospitality worker to  
report incidents of harassment or retaliation;

(B) Require a prompt and thorough investigation of  
any reported incidents; and

(C) Ensure confidentiality, to the extent permitted  
by law, for persons involved in complaints or  
investigations;

(2) Provide mandatory annual training for all hospitality  
workers, including managers and supervisors, on:

(A) Recognizing, preventing, and addressing  
harassment in the workplace; and

(B) The proper use and limitations of the panic  
button provided under paragraph (3);

(3) Supply a panic button to each hospitality worker who  
works in guest rooms, restrooms, or other isolated  
conditions. The panic button shall be portable and  
shall:



(A) Immediately summon assistance from a security guard, another worker, or a supervising employer; and

(B) Be designed to function effectively in the worker's physical environment;

(4) Provide hospitality workers with a list of resources, including contact information for:

(A) The department of labor and industrial relations;

(B) The equal employment opportunity commission; and

(C) Local advocacy groups specializing in harassment prevention and victim support; and

(5) Display, in a conspicuous and accessible location, a notice summarizing the rights and protections provided under this chapter and providing information about how to report a violation.

§ -3 **Retaliation prohibited.** (a) No hospitality employer shall retaliate against a hospitality worker who:

(1) Reports, in good faith, any incident of harassment or retaliation;

(2) Uses a panic button or other safety device as provided under this chapter;



(3) Participates in an investigation, hearing, or other proceeding related to harassment or retaliation; or

(4) Refuses to perform work in an area where the hospitality worker reasonably believes there is a risk to the worker's safety due to harassment or other threats.

(b) Retaliation prohibited under this chapter includes:

(1) Terminating or suspending the person's employment;

(2) Providing a negative performance evaluation;

(3) Transferring the person to a less desirable position or work location; or

(4) Taking any other adverse employment action that would discourage a reasonable person from engaging in activities that are protected under this chapter.

(c) A hospitality worker who is subjected to retaliation in violation of this chapter may:

(1) File a complaint with the department of labor and industrial relations; and

(2) Seek any remedies available under section -5, including reinstatement, back pay, and compensatory damages.



(d) The department of labor and industrial relations

shall:

(1) Establish procedures for receiving and investigating complaints of retaliation or other violations of this chapter;

(2) Develop and distribute guidance for hospitality employers including best practices for complying with this chapter;

(3) Conduct random and targeted audits of hospitality employers to ensure compliance; and

(4) Publish on the department's website an annual report on the department's enforcement activities under this chapter, including the number and types of complaints received, resolutions achieved, and penalties imposed.

§ -4 **Complaints.** (a) A complaint alleging retaliation or a violation of this chapter may be filed by:

(1) An affected hospitality worker or the worker's authorized representative; or

(2) A third party having knowledge of a violation.



(b) Any person aggrieved by a decision of the department of labor and industrial relations pursuant to this chapter may seek judicial review pursuant to chapter 91.

§ -5 **Penalties.** If a hospitality employer violates this chapter, the department of labor may:

(1) Impose civil fines of not less than \$500 and not more than \$5,000 per violation, with repeat offenses subject to fines of up to \$10,000 per violation;

(2) Require the reinstatement of a hospitality worker, payment of back wages, or order other equitable remedies; or

(3) Revoke or suspend the hospitality employer's business license if the employer commits egregious or repeated violations."

SECTION 3. The department of labor and industrial relations shall adopt rules pursuant to chapter 91, Hawaii Revised Statutes, to effectuate the purposes of this Act, including rules determining penalties and establishing procedures for handling complaints.



1       SECTION 4. This Act does not affect rights and duties that  
2 matured, penalties that were incurred, and proceedings that were  
3 begun before its effective date.

4       SECTION 5. This Act shall take effect upon its approval;  
5 provided that all hospitality employers shall comply with this  
6 Act no later than January 1, 2026.

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INTRODUCED BY: \_\_\_\_\_

A handwritten signature in black ink, consisting of a stylized, overlapping loop followed by a long horizontal stroke.



# S.B. NO. 1660

**Report Title:**

DLIR; Hospitality Employers; Hospitality Workers; Harassment;  
Panic Buttons; Training

**Description:**

Requires employers in the hospitality industry to implement anti-harassment measures, provide training, and equip certain workers with panic buttons. Prohibits retaliation against a hospitality worker who files a complaint, uses the provided panic button, or participates in an investigation or proceeding related to a harassment complaint. Requires the Department of Labor and Industrial Relations to adopt rules, including rules determining penalties and establishing procedures for handling complaints. Requires all hospitality employers to comply no later than 1/1/2026.

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

