

JAN 16 2025

A BILL FOR AN ACT

RELATING TO EMPLOYMENT.

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

1 SECTION 1. The legislature finds that employers have a
2 duty to pay their employees on time. In 2017, former Governor
3 Ige signed Act 135, Session Laws of Hawaii 2017, into state law,
4 which established how and when employees are to be paid. Under
5 Act 135, an employer that fails to pay wages within seven days
6 after the end of a pay period may be ordered to pay an
7 administrative penalty of not less than \$500 or \$100 for each
8 employee for every day of the violation, whichever is greater,
9 in addition to back pay and damages equal to the amount of
10 unpaid wages and interest at a rate of six per cent per year
11 from the date that the wages were due. The legislature finds
12 that the State and counties should hold themselves to the same
13 standard.

14 The purpose of this Act is to increase the accountability
15 of state and county employers with respect to the timely payment
16 of wages to their employees.



1 SECTION 2. Section 388-1, Hawaii Revised Statutes, is
2 amended by amending the definition of "employer" to read as
3 follows:

4 "Employer" includes any individual; partnership;
5 association; joint-stock company; trust; corporation; the
6 personal representative of the estate of a deceased individual
7 or the receiver, trustee, or successor of any of the same; and
8 general contractor, for purposes of wages owed to the employees
9 of a subcontractor, as those terms are defined in section
10 388-11.5[+], employing any person, but shall not include [the
11 state or any political subdivision thereof or] the United
12 States[-]; provided that the "employer" includes the State and
13 any political subdivision thereof when a provision of this
14 chapter has no comparable provision in chapter 78."

15 SECTION 3. This Act does not affect rights and duties that
16 matured, penalties that were incurred, and proceedings that were
17 begun before its effective date.

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 Statutory material to be repealed is bracketed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

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

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INTRODUCED BY: _____

Karl Rhoads



S.B. NO. 458

Report Title:

Employment; State and County Employers; Payment of Wages

Description:

Amends the definition of "employer" in state law that governs payment of wages and other compensation to include the State and counties when a provision in that law has no comparable provision in state law that governs public officers and employees.

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

