

ACT 16

An Act Amending Chapter 94 of the Revised Laws of Hawaii 1955, as Amended Relating to Wage and Hour.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 11 of Article III of the Constitution of the State of Hawaii provides for the urgency measures deemed necessary in the public interest. Said Section 11 further provides that no urgency measure shall be considered unless a statement of facts constituting such urgency shall be set forth in a section thereof and until such section shall have been first approved by each House. Pursuant to said Section 11 of Article III of the Constitution of the State of Hawaii, this Act is hereby declared to be an urgency measure deemed necessary in the public interest. The following is a statement of facts constituting such urgency:

1. Statistics of the Bureau of Labor of the United States Department of Labor show that the cost of living has increased tremendously over the past few years. On the other hand, wages and salaries in Hawaii have not increased at, or even close to, the same ratio, thereby causing economic hardship.

2. The people most seriously affected by the disparity between increases in cost of living and in wages and salaries are employees and their dependents.

3. Economic hardship is likewise caused by the closing of industries such as the pineapple canneries on Kauai and Maui.

4. Since employees constitute the overwhelming portion of all income earners upon whom are dependent the great majority of our population, any legislation which deals with the earnings and working conditions of employees, as well as to the retention of existing industries, is of utmost urgency and in the public interest.

SECTION 2. Chapter 94, Revised Laws of Hawaii 1955, as amended, is hereby amended as follows:

1. By amending Section 94-3, as amended, to read:

"Section 94-3. Minimum wages. From and after July 1, 1962 every employer shall, except as the director may provide pursuant to section 94-9, pay to each employee employed by him wages at the rate of not less than \$1.15 per hour. From and after January 1, 1964, every employer except as the director may provide pursuant to section 94-9, shall pay to each employee employed by him wages at the rate of not less than \$1.25 per hour."

2. By amending Section 94-9 to read as follows:

"Section 94-9. Learners; apprentices; part-time employees who are full-time students; handicapped workers. The director may by rules provide for the employment: (a) of learners, of apprentices, and of part-time employees who are full-time students attending public or private schools other than colleges, universities, business schools or technical schools, under special certificates issued by the director, at such wages lower than the applicable minimum wage and subject to such limitations as to time, number, proportion, and length of service as the director shall prescribe; and (b) of individuals whose earning capacity is impaired by old age or physical or mental deficiency or injury, under special certificates issued by the director, at such wages lower than the applicable minimum wage and for such period as shall be fixed in such certificates."

SECTION 3. This Act shall take effect upon its approval.

(Approved May 16, 1962.) S.B. 108.