
A BILL FOR AN ACT

RELATING TO ENFORCEMENT OF WAGE LAWS.

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

1 SECTION 1. Section 104-24, Hawaii Revised Statutes, is
2 amended by amending subsections (a) through (c) to read as
3 follows:

4 "(a) Where the department finds that a first violation of
5 this chapter has been committed, the department shall assess a
6 penalty equal to [~~ten~~] twenty-five per cent of the amount of
7 back wages found due or [~~\$25~~] \$250 per offense, up to \$2,500,
8 whichever is greater.

9 (b) Where the department finds that a second violation of
10 this chapter has been committed, whether on the same [~~contract~~]
11 or another[~~7~~] contract, within two years of the first
12 notification of violation, the department, after proper notice
13 and opportunity for hearing, shall order the person or firm in
14 violation to pay a penalty equal to the amount of back wages
15 found due or [~~\$100~~] \$500 for each offense, up to \$5,000,
16 whichever is greater.

17 (c) Where the department finds that a third violation of
18 this chapter has been committed, whether on the same [~~contract~~]



1 or another~~[7]~~ contract, within [~~two~~] three years of the second
2 notification of violation, the department, after proper notice
3 and opportunity for hearing, shall order the person or firm in
4 violation:

5 (1) To pay a penalty equal to two times the amount of back
6 wages found due or [~~\$200~~] \$1,000 for each offense, up
7 to \$10,000, whichever is greater; and

8 (2) To be suspended from doing any new work on any public
9 work of a governmental contracting agency for a period
10 of three years except as provided in section
11 104-25(a)(2). "New work on any public work" includes
12 any public works project in which the suspended person
13 or firm has not begun work at the job site as of the
14 date of the suspension order. The suspension shall be
15 effective on the later of the twenty-first day after
16 the notification of violation has been sent, or upon
17 the issuance of a decision pursuant to section
18 104-23(c)."

19 SECTION 2. This Act does not affect rights and duties that
20 matured, penalties that were incurred, and proceedings that were
21 begun before its effective date.



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 Statutory material to be repealed is bracketed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

3 SECTION 4. This Act shall take effect on July 1, 2016.



Report Title:

Wages and Hours Enforcement; Penalties; Public Works; Government Contracts

Description:

Amends the monetary penalties for contractors who violate wages and hours laws. (CD1)

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