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# A BILL FOR AN ACT

RELATING TO LABOR.

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

1           SECTION 1. Chapter 388, Hawaii Revised Statutes, is  
2 amended by adding four new sections to part I to be  
3 appropriately designated and to read as follows:

4           "§388-A Notification of stop-work order. (a) When the  
5 department of labor and industrial relations, as a result of  
6 investigation by the department, finds that a violation of this  
7 chapter or administrative rules adopted under this chapter has  
8 occurred, the department shall issue a notification of stop-work  
9 order to the employer in violation.

10           (b) A notification of a stop-work order shall be final and  
11 conclusive unless the employer files a written notice of appeal  
12 with the director within twenty days of the date of service of  
13 the stop-work order.

14           (c) A hearing on the written notice of appeal shall be  
15 held by a hearings officer appointed by the director pursuant to  
16 chapter 91 within            days from the date of the notice of  
17 appeal. A decision stating the findings of fact and conclusions



1 of law shall be rendered by the hearings officer within  
2 days after the conclusion of the hearing.

3 §388-B Stop-work order violation; penalties. The  
4 department of labor and industrial relations shall assess a  
5 penalty of \$1,000 for each violation of this chapter or the  
6 administrative rules adopted under this chapter.

7 §388-C Stop-work order; withdrawal; penalties remitted.  
8 In the absence of an appeal and within twenty days of the date  
9 of service of the stop-work order, the director may withdraw or  
10 modify the stop-work order or remit all or any part of a penalty  
11 assessed if good cause is shown; provided that the employer in  
12 default complies with this chapter and the administrative rules  
13 adopted under this chapter.

14 §388-D Judicial review. Any party to an appeal under this  
15 chapter may obtain judicial review of the decision by appeal in  
16 the manner provided in chapter 91."

17 SECTION 2. In codifying the new sections added by section  
18 1 of this Act, the revisor of statutes shall substitute  
19 appropriate section numbers for the letters used in designating  
20 the new sections in this Act.

21 SECTION 3. New statutory material is underscored.



1 SECTION 4. This Act shall take effect on January 7, 2059.

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**Report Title:**

Stop-Work Orders; Enforcement

**Description:**

Authorizes the Department of Labor and Industrial Relations to issue a stop-work order to an employer for violations of chapter 388, Hawaii Revised Statutes, relating to the payment of wages and other compensation, or administrative rules adopted pursuant to that chapter. Establishes the process for notification of an employer of a stop-work order, appeals process, penalties for violations, and judicial review. Takes effect 1/7/2059. (SD1)

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

