

STAND. COM. REP. NO. 1488

Honolulu, Hawaii

APR 10 2015

RE: H.B. No. 391
H.D. 1
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Madam:

Your Committee on Ways and Means, to which was referred H.B. No. 391, H.D. 1, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO WAGES AND HOURS ON PUBLIC WORKS,"

begs leave to report as follows:

The purpose and intent of this measure is to provide flexibility in overtime compensation rates paid to certain workers on public works projects.

Specifically, this measure establishes that:

- (1) The overtime compensation rate for laborers and mechanics on public works projects shall be set at rates established by a collective bargaining agreement, if applicable; and
- (2) When a collective bargaining agreement establishes the basic hourly rate of pay, the rate of overtime compensation and any other premium rates of pay shall be the rates specified in the collective bargaining agreement.

Your Committee received written comments in support of this measure from the Department of Labor and Industrial Relations and the Hawaii Construction Alliance. Your Committee received written comments in opposition to this measure from the Hawaii Chamber of

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Commerce, General Contractors Association of Hawaii, Hawaii Island Contractors' Association, and Loeffler Construction, Inc.

Your Committee finds that collective bargaining agreements for laborers and mechanics on public works projects specify overtime rates that may be greater than one and one-half times the basic hourly rate established by law. This measure will provide flexibility regarding payment of overtime wages at a higher ratio than time-and-a-half and will help to ensure that workers receive properly negotiated wages when working on public works projects.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 391, H.D. 1, S.D. 1, and recommends that it pass Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,



JILL N. TOKUDA, Chair



The Senate
 Twenty-Eighth Legislature
 State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:*	Committee Referral:	Date:		
HB391 HD1 SD1	JDL, WAM	4/2/15		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input checked="" type="checkbox"/> Pass, unamended 2312	<input type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310		
<input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
TOKUDA, Jill N. (C)	✓			
KOUCHI, Ronald D. (VC)	✓			
CHUN OAKLAND, Suzanne	✓			
DELA CRUZ, Donovan M.	✓			
ENGLISH, J. Kalani	✓			
GALUTERIA, Brickwood				✓
HARIMOTO, Breene				✓
INOUYE, Lorraine R.	✓			
RIVIERE, Gil			✓	
RUDERMAN, Russell E.	✓			
SLOM, Sam				✓
TOTAL	7	0	1	3
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
<i>Jill N. Tokuda</i>				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes