

STAND. COM. REP. NO. **604**

Honolulu, Hawaii

MAR 06 2015

RE: S.B. No. 1121
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 Judiciary and Labor, to which was referred
S.B. No. 1121 entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to limit the time
for filing a prevailing wage claim with the Department of Labor
and Industrial Relations and to provide that the name of
complainants and witnesses shall not be disclosed to the employer.

Your Committee received testimony in support of this measure
from the Department of Labor and Industrial Relations and General
Contractors Association of Hawaii.

Your Committee finds that there is an estimated two to three
year backlog of investigation of cases filed with the Department
of Labor and Industrial Relations. This measure would limit the
time for filing a claim as well as establish the scope of the
investigation regarding a claim. This measure also aims to
protect employees by prohibiting the release of certain
information to an employer.

Your Committee has amended this measure by:

- (1) Prohibiting only the name of a complainant from being
disclosed to an employer in the course of an
investigation;



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- (2) Increasing the time to file a written request for an investigation to three years from the date that wages and overtime compensation are due and payable;
- (3) Increasing the scope of an investigation to three years prior to the filing of a written request for an investigation;
- (4) Inserting an effective date of January 7, 2059, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and conformity.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1121, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1121, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Labor,


GILBERT S.C. KEITH-AGARAN, Chair



