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# A BILL FOR AN ACT

RELATING TO WAGES AND HOURS ON PUBLIC WORKS LAW.

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

1           SECTION 1. Section 104-22, Hawaii Revised Statutes, is  
2 amended to read as follows:

3           "**§104-22 Investigation; penalties.** (a) The department  
4 may conduct investigations to determine compliance with this  
5 chapter. The department may enter the job site, examine records  
6 of any contractor, either during or after the performance of any  
7 contract, or subpoena the records. The department may also  
8 interview employees during working hours on the job.

9           (b) If any contractor interferes with or delays any  
10 investigation by the department, the governmental contracting  
11 agency, on receipt of written notice from the director of the  
12 interference or delay, shall withhold from the contractor all  
13 further payments until the director has notified the  
14 governmental contracting agency in writing that the interference  
15 or delay has ceased. Interference or delay includes failure to  
16 provide requested records under section 104-3; failure to allow  
17 employees to be interviewed during working hours on the job; and  
18 falsification of records required under this chapter. The



1 department shall assess a penalty of \$10,000 per project for  
2 interference or delay. For each day thereafter that the  
3 employer fails to cooperate, the director shall assess a penalty  
4 of \$1,000 per project.

5 (c) The names of all complainants shall be withheld from  
6 the employer unless prior permission is given by the complainant  
7 to release the complainant's name."

8 SECTION 2. New statutory material is underscored.

9 SECTION 3. This Act shall take effect on July 1, 2015.



H.B. NO. 952  
H.D. 2  
S.D. 1  
C.D. 1

**Report Title:**

Public Works Law; Complaints

**Description:**

Ensures confidentiality of a complainant in an investigation of wage and hour violations for public works projects. (HB952 CD1)

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

HB952 CD1 HMS 2015-3361

