
A BILL FOR AN ACT

RELATING TO ENFORCEMENT OF ORDERS OF WAGE PAYMENT.

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

1 SECTION 1. The legislature finds that the current means of
2 enforcing and collecting on final orders of wage payment
3 violations exclusively in a circuit court, as required by
4 section 388-9.7, Hawaii Revised Statutes, is inefficient and
5 results in delayed payments to employees who are entitled to
6 reimbursement from employers who violated wage payment laws.
7 The legislature further finds that expanding the statute to
8 allow enforcement proceedings to be brought in a district court
9 would improve the efficiency of the process.

10 The legislature further finds that the department of labor
11 and industrial relations enforces wage provisions set forth in
12 chapter 388, Hawaii Revised Statutes. Current enforcement
13 procedures pursuant to section 388-9.7, Hawaii Revised Statutes,
14 require the director of labor and industrial relations to file a
15 certified copy of any final order of wage payment violation in a
16 circuit court. The expedited deadlines provided for in district



1 courts equipped to handle smaller claims would allow for more
2 efficient adjudication of wage payment violations.

3 The purpose of this Act is to amend section 388-9.7, Hawaii
4 Revised Statutes, to allow the enforcement of final orders of
5 wage payment violation in any court of competent jurisdiction to
6 expedite enforcement and serve the public policy of enforcing
7 wage standards and ensuring that employees are paid in
8 accordance with their employers' legal obligations.

9 SECTION 2. Section 388-9.7, Hawaii Revised Statutes, is
10 amended to read as follows:

11 " ~~[+] §388-9.7 [{}]~~ **Enforcement of the order of wage payment**
12 **violation.** The director may file in ~~[the circuit]~~ any court of
13 competent jurisdiction in the jurisdiction in which the employer
14 does business, a certified copy of the final order of wage
15 payment violation. The court shall render a judgment in
16 accordance with the final order of wage payment violation and
17 notify the parties of the judgment. The judgment shall have the
18 same effect, and all proceedings in relation to the judgment
19 shall be the same, as though the judgment had been rendered in
20 an action duly heard and determined by the court, except that
21 there shall be no appeal from the judgment."



1 SECTION 3. This Act does not affect rights and duties that
2 matured, penalties that were incurred, and proceedings that were
3 begun before its effective date.

4 SECTION 4. Statutory material to be repealed is bracketed
5 and stricken. New statutory material is underscored.

6 SECTION 5. This Act shall take effect upon its approval.



Report Title:

Department of Labor and Industrial Relations; Wages; Wage
Payment Violation Order Enforcement; Courts

Description:

Expedites the enforcement of orders of wage payment violations
by allowing the Director of Labor and Industrial Relations to
file certified copies of the final orders in any court of
competent jurisdiction. (SD1)

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

