



STATE OF HAWAII
KA MOKU'ĀINA O HAWAII
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
KA 'OIHANA PONO LIMAHANA

February 12, 2025

To: The Honorable Kirstin Kahaloa, Chair,
The Honorable Matthias Kusch, Vice Chair, and
Members of the House Committee on Agriculture & Food Systems

Date: Wednesday, February 12, 2025
Time: 9:30 a.m.
Place: Conference Room 325, State Capitol

From: Jade T. Butay, Director
Department of Labor and Industrial Relations (DLIR)

Re: H.B. 222 H.D.1 RELATING TO THE WAGE AND HOUR LAW

I. OVERVIEW OF PROPOSED LEGISLATION

The **DLIR offers comments** on this proposal. HB222 HD1 proposes to amend the Wage and Hour Law, Chapter 387, Hawaii Revised Statutes (HRS), by adding an exclusion to the definition of "employee" in §387-1 Definitions, for individuals employed in agriculture and primarily engaged in the range production of livestock.

II. CURRENT LAW

Under §387-1, the definition of "employee" excludes any individual employed:
“(2) [i]n agriculture for any workweek in which the employer of the individual employs less than twenty employees or in agriculture for any workweek in which the individual is engaged in coffee harvesting.”

III. COMMENTS ON THE HOUSE BILL

Currently, notwithstanding coffee harvesting, an individual employed in agriculture (including the raising of livestock) in which the employer of the individual employs less than 20 employees, is exempt from the requirements of Chapter 387, HRS, including the requirement to be paid minimum wage and overtime. An employee of an employer who employs 20 or more employees in agriculture, would be covered under Chapter 387, HRS.

HB-222-HD-1

Submitted on: 2/11/2025 8:27:06 AM

Testimony for AGR on 2/12/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Brian Miyamoto	Hawaii Farm Bureau	Support	Written Testimony Only

Comments:

Support