STAND. COM. REP. NO.

Honolulu, Hawaii

MAR 0 6 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;

2015-1836 SSCR SMA.doc

- (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-AÇARAN, Chair

## The Senate Twenty-Eighth Legislature State of Hawai'i

## Record of Votes Committee on Judiciary and Labor JDL

Bill / Resolution No.:*	Committee Referral:			Date:		
SB1121	JDL			2/26/15		
The Committee is reconsidering its previous decision on this measure.						
If so, then the previous decision was to:						
The Recommendation is:						
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313						
Members		Aye	Aye (WR	) Nay	Excused	
KEITH-AGARAN, Gilbert S.C. (C)		1/				
SHIMABUKURO, Maile S.L. (VC)		V				
ESPERO, Will		<b>/</b>				
GABBARD, Mike						
IHARA, Jr., Les					V	
THIELEN, Laura H.						
SLOM, Sam						
					,	
TOTAL	7	5	1	0	/	
Recommendation:  Adopted			Not Adopted			
Chair's or Designee's Signature:						
<b>Distribution:</b> Original File with Committee Re	Yellow eport Clerk's Office D		Pink Prafting Agen			

\*Only one measure per Record of Votes