

STAND. COM. REP. NO. 750

Honolulu, Hawaii

MAR 06 2015

RE: S.B. No. 216  
S.D. 2

Honorable Donna Mercado Kim  
President of the Senate  
Twenty-Eighth State Legislature  
Regular Session of 2015  
State of Hawaii

Madam:

Your Committee on Ways and Means, to which was referred S.B. No. 216, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to redefine "overtime compensation" in the context of public works construction contracts greater than \$2,000.

Specifically, this measure:

- (1) Establishes the present rate of overtime compensation as the minimum required rate; and
- (2) Sets the rate for overtime work as the rate specified in a collective bargaining agreement if the basic hourly rate is based upon a collective bargaining rate.

Your Committee received written comments in support of this measure from the Department of Labor and Industrial Relations and the Hawaii Construction Alliance. Your Committee received written comments on this measure from the General Contractors Association of Hawaii.

Your Committee finds that this measure authorizes the payment of overtime compensation for public works contracts at a higher ratio than "time and a half" if such a rate is contained in an

SB216 SD2 SSCR LRB 15-1873.doc



applicable collective bargaining agreement. The measure will also level the playing field by requiring non-union contractors to pay the same higher rates for overtime as union contractors, who are already paying overtime compensation that is more than the current statutory rate of one and one-half times the prevailing rate.

Your Committee has amended this measure by changing the effective date to July 1, 2050, to facilitate further discussion on the measure.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 216, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 216, S.D. 2.

Respectfully submitted on  
behalf of the members of the  
Committee on Ways and Means,



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JILL N. TOKUDA, Chair



The Senate  
Twenty-Eighth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Ways and Means**  
**WAM**

Bill / Resolution No.:* <div style="font-size: 1.2em; font-family: cursive;">SB216 SD1</div>	Committee Referral: <div style="font-size: 1.2em; font-family: cursive;">GVO/JDL, WAM</div>	Date: <div style="font-size: 1.2em; font-family: cursive;">2/27/15</div>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"> <input type="checkbox"/> Pass, unamended 2312         </div> <div style="text-align: center;"> <input checked="" type="checkbox"/> Pass, with amendments 2311         </div> <div style="text-align: center;"> <input type="checkbox"/> Hold 2310         </div> <div style="text-align: center;"> <input type="checkbox"/> Recommit 2313         </div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
TOKUDA, Jill N. (C)	✓			
KOUCHI, Ronald D. (VC)	✓			
CHUN OAKLAND, Suzanne				✓
DELA CRUZ, Donovan M.	✓			
ENGLISH, J. Kalani	✓			
GALUTERIA, Brickwood	✓			
HARIMOTO, Breene	✓			
INOUE, Lorraine R.	✓			
RIVIERE, Gil	✓			
RUDERMAN, Russell E.				✓
SLOM, Sam			✓	
<b>TOTAL</b>	90	0	1	2
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <input checked="" type="checkbox"/> Adopted           <input type="checkbox"/> Not Adopted         </div>				
Chair's or Designee's Signature: <div style="font-size: 1.5em; font-family: cursive; text-align: center;">Muel N. M.</div>				
<div style="display: flex; justify-content: space-between; font-size: 0.8em;"> <div>Distribution:</div> <div>Original</div> <div>Yellow</div> <div>Pink</div> <div>Goldenrod</div> </div> <div style="display: flex; justify-content: space-between; font-size: 0.8em; margin-top: 2px;"> <div>File with Committee Report</div> <div>Clerk's Office</div> <div>Drafting Agency</div> <div>Committee File Copy</div> </div>				

\*Only one measure per Record of Votes