STAND. COM. REP. NO. 410

Honolulu, Hawaii

FEB 1 5 2019

RE: S.B. No. 1475 S.D. 1

Honorable Ronald D. Kouchi President of the Senate Thirtieth State Legislature Regular Session of 2019 State of Hawaii

Sir:

Your Committee on Labor, Culture and the Arts, to which was referred S.B. No. 1475 entitled:

"A BILL FOR AN ACT RELATING TO WAGES,"

begs leave to report as follows:

The purpose and intent of this measure is to require that the foreman classification be recognized in Hawaii's Davis-Bacon Act and the requirements in the collective bargaining agreement be followed when the basic hourly rate is established by a collective bargaining agreement.

Your Committee received comments on this measure from the Department of Labor and Industrial Relations.

Your Committee finds that under existing law, the foreman classification is not recognized under Hawaii's Davis-Bacon Act. Therefore, a foreman is not covered under a collective bargaining agreement when the agreement establishes the hourly rate. This measure therefore requires that the foreman classification is covered under a collective bargaining agreement, which will provide wage protections for the foreman classification and guarantee a level playing field for foremen when working on a public works project.

Your Committee has amended this measure by:



- (1) Adopting language suggested by the Department of Labor and Industrial Relations to add a gender-neutral definition of "foreperson" to section 104-2, Hawaii Revised Statutes;
- (2) Inserting an effective date of January 1, 2051, to encourage further discussion; and
- (3) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1475, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1475, S.D. 1, and be referred to your Committee on Ways and Means.

Respectfully submitted on behalf of the members of the Committee on Labor, Culture and the Arts,

BRIAN T. TANIGUCHI, Chair

The Senate Thirtieth Legislature State of Hawai'i

Record of Votes Committee on Labor, Culture and the Arts LCA

Bill / Resolution No.:* SB 1475	Committee		Da	te: 2-5-1	9
	LCA	WAM			'
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
TANIGUCHI, Brian T. (C)		V			
IHARA, Jr., Les (VC)		V			
CHANG, Stanley		V			
GABBARD, Mike		V			
FEVELLA, Kurt		V			
		-			
TOTAL		5	0	0	0
Recommendation: Adopted Not Adopted					
Chair's or Designee's Signature;					
An dhar					
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy					

*Only one measure per Record of Votes