
A BILL FOR AN ACT

RELATING TO CONTRACTORS.

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

SECTION 1. Section 104-22, Hawaii Revised Statutes, is amended to read as follows:

"§104-22 Investigation; penalties. (a) The department may conduct investigations to determine compliance with this chapter. The department may enter the job site, examine records of any contractor, either during or after the performance of any contract, or subpoena the records. The department may also interview employees during working hours on the job.

(b) If any contractor interferes with or delays any investigation by the department, the governmental contracting agency, on receipt of written notice from the director of the interference or delay, shall withhold from the contractor all further payments until the director has notified the governmental contracting agency in writing that the interference or delay has ceased. Interference or delay includes failure to provide requested records under section 104-3; failure to allow employees to be interviewed during working hours on the job; and



1 falsification of records required under this chapter. The
2 department shall assess a penalty of \$10,000 per project for
3 interference or delay. For each day thereafter that the
4 employer fails to cooperate, the director shall assess a penalty
5 of \$1,000 per project.

6 (c) The names of all complainants shall be withheld from
7 the employer unless prior permission is given by the complainant
8 to release the complainant's name.

9 (d) The department may provide training for and deputize
10 no fewer than persons to serve as volunteer
11 investigators to conduct investigations pursuant to this
12 section. Any volunteer investigator deputized by the department
13 who, in good faith, provides services pursuant to this chapter
14 shall not be liable in any civil action for damages as a result
15 of any acts or omissions in conducting or participating in an
16 investigation; provided that the skill and care given is that
17 ordinarily required and exercised by an investigator."

18 SECTION 2. The department of labor and industrial
19 relations shall submit reports of its findings and
20 recommendations, including any proposed legislation, to the
21 legislature no later than twenty days prior to the convening of



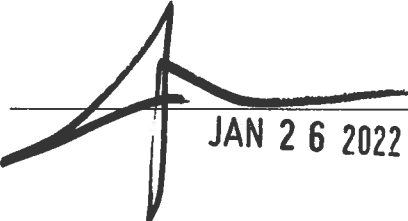
1 the regular sessions of 2023, 2024, and 2025, on the
2 effectiveness of the training and deputizing of the volunteer
3 investigators within public works projects authorized pursuant
4 to section 1 of this Act.

5 SECTION 3. There is appropriated out of the general
6 revenues of the State of Hawaii the sum of \$ or so
7 much thereof as may be necessary for fiscal year 2022-2023 for
8 the training and deputizing of volunteer investigators
9 investigating within public works projects.

10 The sum appropriated shall be expended by the department of
11 labor and industrial relations for the purposes of this Act.

12 SECTION 4. This Act shall take effect on July 1, 2022.

13 INTRODUCED BY:


JAN 26 2022



H.B. NO. 2403

Report Title:

DLIR; Volunteer Investigators; Public Works Projects;
Appropriation

Description:

Allows the department of labor and industrial relations to train and deputize volunteer investigators investigating public works projects. Requires reports to the legislature. Appropriates funds.

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

