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## HOUSE RESOLUTION

REQUESTING THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS TO COMPLETE A COMPARATIVE STUDY OF ITS POLICIES ON YOUTH EMPLOYMENT AND FEDERAL REQUIREMENTS FOR YOUTH EMPLOYMENT UNDER THE FAIR LABOR STANDARDS ACT.

1           WHEREAS, the Department of Labor and Industrial Relations  
2 maintains responsibility for the regulation and maintenance of  
3 employment for minors under the age of eighteen pursuant to  
4 chapter 390, Hawaii Revised Statutes; and

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6           WHEREAS, only fifty-one percent of Hawaii's public school  
7 graduates from the class of 2021 went on to post-secondary  
8 education in the first fall after graduation, leaving nearly  
9 half of Hawaii's youth in need of post-secondary plans; and

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11           WHEREAS, high school graduates with no post-secondary plans  
12 traditionally struggle to enjoy the same economic gains, quality  
13 of life, and general levels of success as high school graduates  
14 who enroll in and complete post-secondary education or certified  
15 post-secondary apprenticeship programs within four years of  
16 graduation from a secondary education institution; and

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18           WHEREAS, only a small subset of Hawaii's youth have access  
19 to fulfilling, hands-on work-based learning opportunities with  
20 compensation; and

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22           WHEREAS, positive work-based learning experiences have been  
23 shown to improve college-going rates and educational outcomes,  
24 particularly for at-risk and disadvantaged youth who are  
25 statistically less likely to make formal plans for careers or  
26 education after completing their secondary education; and

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28           WHEREAS, there is a need for the Department of Labor and  
29 Industrial Relations to implement systems which make work-based  
30 learning more accessible to Hawaii's youth; and

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1 WHEREAS, the State has the responsibility to ensure that  
2 all of its policies and procedures are ready and waiting to meet  
3 the needs of a high-leverage, statewide work-based learning  
4 program for Hawaii's youth; and

5  
6 WHEREAS, the State must continue to protect the safety and  
7 well-being of its youth in any workplace; and

8  
9 WHEREAS, the United States Department of Labor does not  
10 require states to issue employment certificates or age  
11 certifications for minors engaging in work; and

12  
13 WHEREAS, thirty states do not require the issuance of an  
14 employment certificate and age certification for a minor  
15 engaging in work; and

16  
17 WHEREAS, unlike those other states, Hawaii currently  
18 requires an employment certificate and age certification for a  
19 minor engaging in work; and

20  
21 WHEREAS, revisiting and studying Hawaii's current  
22 requirements are important to set a foundation for collective  
23 action, public- and private-sector partnerships, and other means  
24 of promoting work-based learning opportunities and labor  
25 standards that protect youth, provide students with an ample  
26 choice of industries in which to gain experience, and ensure  
27 streamlined processes that enable more employers to offer  
28 experiences to students; now, therefore,

29  
30 BE IT RESOLVED by the House of Representatives of the  
31 Thirty-second Legislature of the State of Hawaii, Regular  
32 Session of 2023, that the Department of Labor and Industrial  
33 Relations is requested to complete a comparative study of its  
34 policies on youth employment and federal requirements for youth  
35 employment under the Fair Labor Standards Act; and

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37 BE IT FURTHER RESOLVED that in conducting its comparative  
38 study, the Department of Labor and Industrial Relations is  
39 requested to report on:

- 40  
41 (1) How states with less certification requirements,  
42 including Arizona, Kentucky, and Oregon, are able to



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1 ensure access to and oversight of work-based learning  
2 for minors;

3  
4 (2) Whether current state youth employment permitting  
5 requirements create any barriers to expanded work-  
6 based learning opportunities for youth; and

7  
8 (3) The anticipated actions needed by the State to  
9 transition its youth employment policies so that they  
10 do not impose requirements that exceed the federal  
11 minimum for youth employment under the Fair Labor  
12 Standards Act; and

13  
14 BE IT FURTHER RESOLVED that the Department of Labor and  
15 Industrial Relations is requested to submit its findings and  
16 recommendations, including any proposed legislation, to the  
17 Legislature no later than twenty days prior to the convening of  
18 the Regular Session of 2024; and

19  
20 BE IT FURTHER RESOLVED that certified copies of this  
21 Resolution be transmitted to the Governor; Director of Labor and  
22 Industrial Relations; Director of Business, Economic  
23 Development, and Tourism; Superintendent of Education; and  
24 President of the University of Hawaii.

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OFFERED BY: 

MAR 08 2023

