

JAN 17 2025

A BILL FOR AN ACT

RELATING TO EMPLOYMENT PRACTICES.

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

1 SECTION 1. Chapter 378, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§378- Paid rest periods. (a) Employers shall allow
5 each employee a rest period consisting of not less than ten
6 consecutive minutes for each four hours of work time. Insofar
7 as practicable, the rest period shall be in the middle of each
8 work period. Rest periods under this paragraph shall be counted
9 as time worked, for which there shall be no deduction from
10 wages.

11 (b) Any employer that fails to allow an employee a rest
12 period under subsection (a) shall:

13 (1) For each workday that the rest period is not provided,
14 pay that employee for not less than one additional
15 hour of work at the employee's regular rate of
16 compensation; and



1 (2) Be subject to a fine of \$ _____ for each rest
 2 period that is not provided, with each rest period
 3 counted on a per employee basis. The fine shall be
 4 imposed by the department of labor and industrial
 5 relations.

6 (c) This section shall not apply to employees subject to a
 7 collective bargaining agreement under chapter 89.

8 (d) This section shall not be construed to prohibit any
 9 employer from providing rest periods that are longer than ten
 10 consecutive minutes or that occur more frequently than each four
 11 hours of work time."

12 SECTION 2. This Act does not affect rights and duties that
 13 matured, penalties that were incurred, and proceedings that were
 14 begun before its effective date.

15 SECTION 3. New statutory material is underscored.

16 SECTION 4. This Act shall take effect on January 1, 2026.

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INTRODUCED BY: 

S.B. NO. 638

Report Title:

Employment Practices; Paid Rest Periods

Description:

Requires employers to provide employees with paid breaks.

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