

Honolulu, Hawaii

FEB 12 2025RE: S.B. No. 1034
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Third State Legislature
Regular Session of 2025
State of Hawaii

Sir:

Your Committee on Labor and Technology, to which was referred
S.B. No. 1034 entitled:

"A BILL FOR AN ACT RELATING TO THE FOOD SERVICE INDUSTRY,"

begs leave to report as follows:

The purpose and intent of this measure is to require employers in the food service industry to allow their employees an unpaid rest period of thirty consecutive minutes for each five consecutive hours of working time, effective January 1, 2026.

Your Committee received testimony in support of this measure from the Hawai'i Restaurant Association.

Your Committee received testimony in opposition to this measure from ABC Stores.

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

Your Committee finds that food service workers provide a vital service to the State but often suffer from inadequate workers' protections. No State law currently requires meal breaks for food service employees, leading to instances of abuse in which employees are denied sufficient time to rest and eat despite working on their feet for long hours. This measure resolves this



gap by requiring employers in the food service industry to allow their employees a thirty-minute unpaid rest period following five consecutive hours of work.

Your Committee has amended this measure by:

- (1) Inserting a blank amount for the number of hours after which an employee must be allowed an unpaid break, rather than five hours;
- (2) Inserting a definition for "food service industry"; and
- (3) Inserting an effective date of July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Labor and Technology that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1034, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1034, S.D. 1, and be referred to your Committee on Commerce and Consumer Protection.


Respectfully submitted on
behalf of the members of the
Committee on Labor and
Technology,


HENRY J. C. AQUINO, Chair



The Senate
Thirty-Third Legislature
State of Hawai'i

Record of Votes
Committee on Labor and Technology
LBT

Bill / Resolution No.:* <div style="font-size: 1.2em; font-family: cursive;">SB1034</div>	Committee Referral: <div style="font-size: 1.2em; font-family: cursive;">LBT, CPL</div>	Date: <div style="font-size: 1.2em; font-family: cursive;">2/7/25</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 checked="" 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																
AQUINO, Henry J.C. (C)	✓																			
LEE, Chris (VC)	✓																			
IHARA, Jr., Les				✗																
MORIWAKI, Sharon Y.	✗																			
FEVELLA, Kurt				✗																
TOTAL	3			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="text-align: center; font-size: 1.5em; font-family: cursive; margin-top: 10px;">  </div>																				
<table style="width: 100%; font-size: 0.8em;"> <tr> <td style="width: 25%;">Distribution:</td> <td style="width: 25%;">Original</td> <td style="width: 25%;">Yellow</td> <td style="width: 25%;">Pink</td> </tr> <tr> <td></td> <td>File with Committee Report</td> <td>Clerk's Office</td> <td>Drafting Agency</td> </tr> <tr> <td></td> <td></td> <td></td> <td>Goldenrod</td> </tr> <tr> <td></td> <td></td> <td></td> <td>Committee File Copy</td> </tr> </table>					Distribution:	Original	Yellow	Pink		File with Committee Report	Clerk's Office	Drafting Agency				Goldenrod				Committee File Copy
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*Only one measure per Record of Votes