

Honolulu, Hawaii

FEB 10 2025

RE: S.B. No. 1454

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. 1454 entitled:

"A BILL FOR AN ACT RELATING TO THE WAGE AND HOUR LAW,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require the Department of Labor and Industrial Relations to issue orders of wage payment violation to employers it finds to be in violation of chapter 387, Hawaii Revised Statutes, the State's Wage and Hour Law;
- (2) Establish penalties, enforcement, and appeal procedures; and
- (3) Amend the definition of "wage" in the State's Wage and Hour Law to clarify that it means compensation for labor or services rendered by an employee, regardless of how it is calculated.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations and one individual.

Your Committee finds that chapter 388, Hawaii Revised Statutes, which is the state law that governs payment of wages and other compensation, including wage theft, has an enforcement



mechanism by which the Department of Labor and Industrial Relations may issue orders of wage payment violations and assess penalties against employers in violation. However, this enforcement mechanism is not available for chapter 387, Hawaii Revised Statutes, the state law governing minimum wage and overtime compensation. Therefore, when an investigation of a wage theft claim against an employer reveals a violation of minimum wage or overtime requirements, the Department is precluded from issuing an order of wage payment violation for those violations. To allow the Department of Labor and Industrial Relations to effectively enforce laws that protect employees' right to receive just compensation, this measure streamlines and standardizes the enforcement mechanisms between chapters 387 and 388, Hawaii Revised Statutes.

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. 1454 and recommends that it pass Second Reading and be referred to your Committee on Judiciary.

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.:* SB1454	Committee Referral: LBT, JDC	Date: 1-31-25		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
AQUINO, Henry J.C. (C)	✓			
LEE, Chris (VC)	✓			
IHARA, Jr., Les	✗			
MORIWAKI, Sharon Y.	✓			
FEVELLA, Kurt				✗
TOTAL	4			1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes