

ACT 121

S. B. NO. 1341-72

A Bill for an Act Relating to Payment of Wages and Amending Chapter 388, Hawaii Revised Statutes.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 388-6, Hawaii Revised Statutes, is hereby amended to read:

“Sec. 388-6 Withholding of wages. No employer may deduct or retain any part or portion of any compensation earned by any employee except where required by federal or state statute or by court process or when such deductions are authorized in writing by the employee, provided that deductions for the following may not be so authorized or collected:

- (1) Fines;
- (2) Cash shortage in a common money till, cash box, or register used by two or more persons;
- (3) Breakage;
- (4) Losses due to acceptance by an employee of checks which are subsequently dishonored if employee is given discretion to accept or reject any check;
- (5) Losses due to defective or faulty workmanship, lost or stolen property, damage to property, default of customer credit, or nonpayment for goods or services received by customer if such losses are not attributable to employee's wilful or intentional disregard of employer's interest; or
- (6) Medical or physical examination or medical report expenses which accrue due to services rendered to an employee or prospective employee, where such examination or report is requested or required by the employer or prospective employer or required by any law or regulation of federal, state or local governments or agencies thereof.”

ACT 121

SECTION 2. Statutory material to be repealed is bracketed. New material is underscored. In printing this Act, the revisor of statutes need not include the brackets, the bracketed material or the underscoring.*

SECTION 3. This Act shall take effect upon its approval.

(Approved May 25, 1972.)

*Edited accordingly.