

A Bill for an Act Relating to the Payment of Wages and Other Compensation.
Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 388-10, Hawaii Revised Statutes, is amended to read:

“Sec. 388-10 Penalties. (a) Civil. Any employer who fails to pay wages in accordance with this chapter without equitable justification shall be liable to the employee, in addition to the wages legally proven to be due, for a sum up to the amount of unpaid wages.

(b) Criminal. Any employer who does not pay the wages of any of his employees in accordance with this chapter or any officer of any corporation who knowingly permits the corporation to violate this chapter by failing to pay wages of any of its employees in accordance with this chapter, or any employer or his agent or any officer or agent of a corporation who discharges or in any other

manner discriminates against any employee because the employee has made a complaint to his employer, or to the director, or to any other person that he has not been paid wages in accordance with this chapter, or has instituted or caused to be instituted any proceeding under or related to this chapter, or has testified or is about to testify in any such proceeding, or any employer who wilfully fails to comply with any other requirements of this chapter shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than \$100 nor more than \$10,000 or imprisoned for no more than one year, or punished by both fine and imprisonment for each such offense.”

SECTION 2. Material to be repealed is bracketed.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 12, 1977.)

*Edited accordingly.