

ACT 21

H.B. NO. 2009-86

A Bill for an Act Relating to Employment Practices.

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

SECTION 1. Section 378-37, Hawaii Revised Statutes, is amended to read as follows:

“§378-37 [Petition for enforcement of order.] Enforcement of order; judgment rendered thereon. If [any] an employer fails or neglects to comply with the final order of the department of labor and industrial relations from which no appeal has been taken as provided by this part, the department or the employee affected may [petition] apply to the circuit court [wherein] of the judicial circuit in which the employer resides or transacts business for [the enforcement] a judgment to enforce the provisions of the final order and for any other appropriate relief. [Upon filing of the petition and the record of the proceedings, including all documents and papers on file in the matter, the pleadings and testimony upon which the order was entered, and the order, and upon service of proper notice thereof upon the employer, the circuit court shall have jurisdiction in the premises.] In any proceeding to enforce the provisions of the final order, the department or the employee affected need only file with the court proof that notice of the hearing was given, a certified copy of the final order, and proof that the final order was served. The judgment shall have the same effect, and all proceedings in relation thereto shall thereafter be the same, as though the judgment had been rendered in an action duly heard and determined by the court.”

SECTION 2. Statutory material to be repealed is bracketed. New statutory material is underscored.

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

(Approved April 14, 1986.)