

ACT 32

H.B. NO. 132

A Bill for an Act Relating to Wages and Other Compensation.

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

SECTION 1. Section 388-2, Hawaii Revised Statutes, is amended to read as follows:

“§388-2 Semimonthly payday. (a) Every employer shall pay all wages due to the employer’s employees at least twice during each calendar month, on regular paydays designated in advance by the employer, in lawful money of the United States or with checks convertible into cash on demand at full face value thereof; provided that when a majority of an employer’s employees or a majority of the employees in a collective bargaining unit recognized by an employer or established by law elect, in a secret ballot election under procedures approved by the director of labor and industrial relations, to be paid once a month on a regularly scheduled basis, the employees shall be paid on such monthly basis. The elections shall not be held more frequently than once in every two years[.] and each election shall be valid for a period of two years.

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(b) The earned wages of all employees shall be due and payable within seven days after the end of each pay period.

(c) The director may, upon application showing good and sufficient reasons, permit an employer to:

- (1) Establish regular paydays less frequently than semimonthly provided that the employee shall be paid in full at least once each calendar month on a regularly established schedule;
- (2) Pay earned wages within fifteen days after the end of each pay period.”

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 Statutory material to be repealed is bracketed.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 24, 1989.)