

ACT 104

H.B. NO. 682

A Bill for an Act Relating to Contests of Occupational Safety and Health Matters.
Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 26-20, Hawaii Revised Statutes, is amended to read as follows:

“§26-20 Department of labor and industrial relations. The department of labor and industrial relations shall be headed by a single executive to be known as the director of labor and industrial relations.

The department shall administer programs designed to increase the economic security, physical and economic well-being, and productivity of workers, and to achieve good labor-management relations, including the administration of workers' compensation, employment security, apprenticeship training, wage and hour, and industrial relations laws. The department shall also have the function of developing, preparing, and disseminating information on employment, unemployment, and general labor market conditions.

The labor and industrial relations [appeal] appeals board provided for in chapters 371 and 386 is placed within the department of labor and industrial relations for administrative purposes. The respective functions, duties, and powers, subject to the administrative control of the director of labor and industrial relations, and the composition of the board shall be as heretofore provided by law.

There shall be within the department of labor and industrial relations a board to be known as the Hawaii labor relations board as provided for in section 89-5, which shall exercise powers and duties in accordance with chapters 89 [and], 377[.], and 396. The director shall have general administrative supervision over the board, but shall not have the power to supervise or control the board in the exercise of its powers or duties.

The functions of mediation heretofore exercised by the commission of labor and industrial relations existing immediately prior to November 25, 1959, as provided in section 371-10, shall be exercised by the governor or the governor's designated agent.

The director may establish within the department of labor and industrial relations a committee to be known as the apprenticeship council which shall sit in an advisory capacity to the director of labor and industrial relations on matters within the jurisdiction of the department of labor and industrial relations relating to apprenticeship programs. The membership and organization of the council shall be determined by the director.

[The functions and authority heretofore exercised by the department of labor and industrial relations, Hawaii labor relations board, and apprenticeship council as heretofore constituted are transferred to the department of labor and industrial relations established by this chapter.]”

SECTION 2. Section 396-3, Hawaii Revised Statutes, is amended by amending the definition of “appeals board” to read as follows:

““Appeals board” means the [labor and industrial relations appeals] Hawaii labor relations board.”

SECTION 3. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval.

(Approved May 31, 2002.)