

ACT 210

S.B. NO. 61

A Bill for an Act Relating to Wages.

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

SECTION 1. Section 387-6, Hawaii Revised Statutes, is amended by amending subsection (c) to read as follows:

“(c) Every employer shall furnish each employee at every pay period a legible printed, typewritten, or handwritten notice showing the employee’s:

- (1) ~~[total]~~ Total hours worked[;];
- (2) ~~[overtime]~~ Overtime hours[;];
- (3) ~~[straight-time]~~ Straight-time compensation[;];
- (4) ~~[overtime]~~ Overtime compensation[;];
- (5) ~~[other]~~ Other compensation[;];
- (6) ~~[total]~~ Total gross compensation[;];
- (7) ~~[amount]~~ Amount and purpose of each deduction[;];
- (8) ~~[total]~~ Total net compensation[;];
- (9) ~~[date]~~ Date of payment[;]; and
- (10) ~~[pay]~~ Pay period covered[-];

provided that in lieu of the printed, typewritten, or handwritten notice required by this subsection and upon receipt of written authorization from the employee, the employer may provide an electronic notice that may be electronically accessed by the employee.”

SECTION 2. Section 388-7, Hawaii Revised Statutes, is amended to read as follows:

“**§388-7 Notification, posting, and records.** Every employer shall:

- (1) Notify ~~[the employer’s employees]~~ each employee in writing, at the time of hiring of the rate of pay, and of the day, hour, and place of payment;
- (2) Notify ~~[the employer’s employees]~~ each employee in writing or through a posted notice maintained in a place accessible to ~~[the employer’s]~~ employees of any changes in the arrangements specified above prior to the time of ~~[such changes;]~~ the change;
- (3) ~~[Make available]~~ Provide to ~~[the employer’s employees]~~ each employee in writing or through a posted notice maintained in a place accessible to ~~[the employer’s]~~ employees, policies with regard to vacation and sick leave;

- (4) Furnish each employee at every payday a legible printed, typewritten, or handwritten record showing the employee's total gross compensation, the amount and purpose of each deduction, total net compensation, date of payment, and pay period covered; and maintain and preserve a copy of ~~[such]~~ the record or its equivalent for a period of at least six years; provided that in lieu of the printed, typewritten, or handwritten record required by this paragraph and upon receipt of written authorization from the employee, the employer may provide an electronic record that may be electronically accessed by the employee that shall be retained by the employer for a period of at least six years;
- (5) Keep posted in a place accessible to ~~[the employer's]~~ employees ~~[such]~~ the notices pertaining to the application of this chapter as shall be prescribed by the director of labor and industrial relations; and
- (6) Make and keep records of all employees which shall include basic employment and earnings records~~;~~ and preserve ~~[such]~~ the records for a period of time and in a manner as the director shall prescribe by rule."

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

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

(Approved July 8, 2005.)