

ACT 70

S.B. NO. 332

A Bill for an Act Relating to Wages.

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

SECTION 1. The purpose of this Act is to protect employees in this State by requiring employers to keep accurate records of employees' rates of pay and provide employees with specific wage information on pay statements.

SECTION 2. Section 387-6, Hawaii Revised Statutes, is amended as follows:

1. By amending subsection (a) to read:
 - (a) Every employer shall keep in or about the premises wherein any employee is employed a contemporaneous, true, and accurate record of ~~the~~:
 - (1) The name, address, and occupation of each ~~such~~ employee~~[-of the]~~;
 - (2) The amount paid each pay period to each ~~such~~ employee~~[-of the]~~;
 - (3) The hours worked each day and each workweek by each ~~such~~ employee~~[-and of such]~~;
 - (4) The rate or rates of pay of each employee and basis thereof, whether paid by the hour, shift, day, week, salary, piece, commission, or oth-

er basis; gross wages; deductions; allowances, if any, claimed as part of the minimum wage; and net wages; and

- (5) Any other information and for [such] the periods of time as the director [of labor and industrial relations] may by [regulation] rule prescribe.

The director or the director's authorized representative shall for the purpose of examination have access to and the right to copy ~~[from such]~~ the records. Every employer shall furnish to the director or the director's authorized representative ~~[such]~~ any information relating to the employment of workers and in [such] any manner as the director may prescribe."

2. By amending subsection (c) to read:

"(c) Every employer shall furnish each employee at every pay period a legible printed, typewritten, or handwritten ~~[notice]~~ record showing the ~~[employ- ee's:]~~ following:

- (1) The name of the employee;
- (2) The name of the employer;
- (3) The address and telephone number of the employer;
- ~~[(1) Total]~~ (4) The employee's total hours worked;
- ~~[(2) Overtime]~~ (5) The employee's regular and overtime hours;
- ~~[(3) Straight-time]~~ (6) The employee's straight-time compensation;
- ~~[(4) Overtime]~~ (7) The employee's overtime compensation;
- ~~[(5) Other]~~ (8) Any other compensation[.], including allowances, if any, claimed as part of the minimum wage;
- ~~[(6) Total]~~ (9) The employee's total gross compensation;
- ~~[(7) Amount]~~ (10) The amount and purpose of each deduction;
- ~~[(8) Total]~~ (11) The employee's total net compensation;
- ~~[(9) Date]~~ (12) The date of payment; ~~and~~
- ~~[(10) Pay]~~ (13) The pay period covered; ~~and~~
- (14) The rate or rates of pay and basis thereof, whether paid by the hour, shift, day, week, salary, piece, commission, or other basis, including overtime rate or rates of pay. For employees paid a piece rate, the record shall indicate the applicable piece rate or rates of pay, and the number of pieces completed at each piece rate;

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

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

SECTION 4. This Act shall take effect on January 1, 2014.

(Approved April 30, 2013.)