

A Bill for an Act Relating to Wages and Hours on Public Works Law.

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

SECTION 1. Section 104-22, Hawaii Revised Statutes, is amended to read as follows:

“§104-22 Investigation; penalties. (a) The department may conduct investigations to determine compliance with this chapter. The department may enter the job site, examine records of any contractor, either during or after the performance of any contract, or subpoena the records. The department may also interview employees during working hours on the job.

(b) If any contractor interferes with or delays any investigation by the department, the governmental contracting agency, on receipt of written notice from the director of the interference or delay, shall withhold from the contractor all further payments until the director has notified the governmental contracting agency in writing that the interference or delay has ceased. Interference or delay includes failure to provide requested records under section 104-3; failure to allow employees to be interviewed during working hours on the job; and falsification of records required under this chapter. The department shall assess a penalty of \$10,000 per project for interference or delay. For each day thereafter that the employer fails to cooperate, the director shall assess a penalty of \$1,000 per project.

(c) The names of all complainants shall be withheld from the employer unless prior permission is given by the complainant to release the complainant's name.”

SECTION 2. New statutory material is underscored.

SECTION 3. This Act shall take effect on July 1, 2015.

(Approved June 26, 2015.)