

## Notice of Amendment to Wage and Hour Law Act 70

Effective January 1, 2014, Chapter 387, Hawaii Revised Statutes (HRS), has been revised as follows:

Requires employers to keep accurate records of employees' rates of pay and provide employees with specific wage information on pay statements as defined in Sections 387-6, HRS as follows:

Section 387-6(a), HRS, is amended to require that the employer must keep a "contemporaneous, true, and accurate" payroll records. Additionally, the payroll record must contain the "rate or rates of pay of each employee and basis thereof, whether paid by the hour, shift, day, week, salary, piece, commission, or other basis; gross wages; deductions; allowances, if any, claimed as part of the minimum wage; and net wages.

Section 387-6(c), HRS, amends the pay statement required to be issued to each employee, with specific information. See attached pay statement sample for the required specific information.

For more information on Hawaii's wage laws, return to the Department of Labor and Industrial Relations, Wage Standards Division web page at <http://www.labor.hawaii.gov/wsd/>, or you may call the division at (808) 586-8777

SAMPLE PAY STATEMENT  
June 24, 2013

<b>[Company Name (2)]</b>	XYX Company, Inc.	<b>[Employee Name (1)]</b>	Jon Doe
<b>[DBA (2)]</b>	Xcellent Maintenance	<b>[Employee ID Number]</b>	000111
<b>[Business Address (3)]</b>	11 Business Street, #22	<b>[Employee Address]</b>	12 Aloha Street #3
<b>[Business City/State/Zip (3)]</b>	Honolulu, HI 96801	<b>[Employee City/State/Zip]</b>	Kailua, HI 96734
<b>[Business phone no (3)]</b>	808-777-8888		

**Pay Date (12):** June 7, 2013

Description	Rate (14) (per hour)	Hours	Earnings	Year to Date
<b>Regular Earnings</b>	10.00	<b>42.00 (5)</b>	<b>420.00 (6)</b>	0.00
<b>Regular Earnings</b>	0.00	0.00	0.00	0.00
<b>Overtime Earnings<sup>1</sup></b>	5.00	<b>2.00 (5)</b>	<b>10.00 (7)</b>	0.00
Total <sup>2</sup>		<b>42.00 (4)</b>	430.00	
<b>Holiday Earning (8)</b>	0.00	0.00	0.00	0.00
<b>Vacation Earnings (8)</b>	0.00	0.00	0.00	0.00
<b>Bonus (8)</b>	10.00	0.00	<b>10.00</b>	0.00

Deductions	Amounts	Year to Date
<b>Federal Tax (10)</b>	78.25	0.00
<b>State Tax (10)</b>	37.35	0.00
<b>SS Tax (10)</b>	3.00	0.00
<b>Medicare Tax (10)</b>	2.00	0.00
<b>Medical Insurance (10)</b>	5.00	0.00
<b>401(K) (10)</b>	0.00	0.00
<b>Uniforms (10)</b>	0.00	0.00
<b>Union Dues (10)</b>	0.00	0.00

	Total Earnings	Less Taxes	Less Other Deductions	Net Pay	Check Amount	Deposit/Check No.
<b>Pay Period (13) 5/25/13 - 5/31/13</b>	<b>\$440.00 (9)</b>	\$120.60	\$5.00	<b>\$314.40 (11)</b>	<b>\$314.40 (11)</b>	
Year to Date						

Act 70, passed in the 2013 Legislature, requires the following information be on every pay statement:

(c) Every employer shall furnish each employee at every pay period a legible printed, typewritten, or handwritten record showing the following:

- (1) The name of the employee;
- (2) The name of the employer;
- (3) The address and telephone number of the employer;
- (4) The employee's total hours worked;
- (5) The employee's regular and overtime hours;
- (6) The employee's straight-time compensation;
- (7) The employee's overtime compensation;
- (8) Any other compensation, including allowances, if any, claimed as part of the minimum wage;
- (9) The employee's total gross compensation;
- (10) The amount and purpose of each deduction;
- (11) The employee's total net compensation;
- (12) The date of payment;
- (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;

**Note: The items with (#) in red, are required to be on pay statements (stubs), under Act 70, 2013 Legislative Session.**

<sup>1</sup>For multiple rates, overtime (OT) may be based on weighted average (WA):  $(xx \text{ hrs} \times \$\text{Regular Rate}(RR)) + (xx \text{ hrs} \times \$\text{RR}) = \$xx.xx \div \text{total hrs worked} = \$xx.xx \text{ WA rate} \times .5 = \$x.xx \text{ the OT rate.}$

<sup>2</sup>The total straight time earnings for multiple rates is not required to be shown, but may be added for convenience.