

■ WAGE PAYMENT LAWS

TERMS:

Paydays — Employers must pay their workers' earnings at least twice each month, on regular paydays designated in advance, unless a different arrangement is approved by the state or adopted by majority vote of the workers in a state-approved secret-ballot election. A worker's wages are payable within 7 days after the end of each pay period.

Final Pay — Whenever an employer lays off or fires a worker, the worker must receive final pay no later than the next regular business day following layoff or termination. A worker who quits the job is entitled to final pay no later than the next regular payday after termination, unless the worker gives at least one pay period's notice of intention to quit, in which case the employer must pay final wages at the time of termination.

Method of Payment — Employers are required to pay wages (1) in lawful U.S. money, (2) with checks exchangeable for cash on demand and at full face value, (3) by direct deposit to the worker's bank account, or (4) with a prepaid debit card; use of a debit card is subject to strict limitations. In the event a worker's paycheck bounces, the employer is responsible for paying any overdraft charges or special handling fee which the worker may be charged as a result of cashing the check.

Withholding of Wages — Employers may not deduct or withhold any part of a worker's earnings, except where required by federal or state law or a court order, or unless authorized in writing by the worker. Certain deductions, however, are not lawful even with the worker's approval, including, among others, (1) fines, penalties, or replacement costs for breakage, (2) losses due to damage to property, and (3) expenses for medical or physical examination, if the examination is requested or required by the employer.

Notices and Pay Statements — Employers must notify their employees at the time of hiring as to the rate of pay and the day, hour and place of payment, and must furnish each worker, on every payday, with a written statement showing the worker's total gross earnings, the amount and purpose of each deduction, total net pay, the date of payment, and the pay period covered.

ENFORCEMENT: *Wage Standards Division, Department of Labor and Industrial Relations, Honolulu, Hawaii 96813 (808-586-8777)*.

SPECIAL NOTE: A person may not fire, discipline or discriminate against a worker because the worker has filed a complaint or made use of any other right granted by this law.