



**STATE OF HAWAII
STATE PROCUREMENT OFFICE**

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May 19, 2014

PROCUREMENT CIRCULAR NO. 2014-07

TO: Office of the Governor, Chief of Staff
Office of the Lieutenant Governor, Chief of Staff
Executive Department Heads
Hawaii State Public Library System, State Librarian

Chief Procurement Officers (CPOs):

Department of Education, Superintendent
University of Hawaii, President
Office of Hawaiian Affairs, Chairperson of the Board
Hawaii Health Systems Corporation, President and Chief Executive Officer
Judiciary, Administrative Director of the Courts
Senate, President
House of Representatives, Speaker

Counties of Hawaii, Kauai, Maui, and City & County of Honolulu
Executive Branch, Finance Director
Legislative Branch, Chairperson of the County Council
Board/Departments of Water Supply, Manager/Chief Engineer
Honolulu Authority for Rapid Transportation, Executive Director

FROM: Sarah Allen 

SUBJECT: Notice of Listing of Owners/Partners on Certified Payrolls Under HRS Chapter 104, *Wages and Hours of Employees on Public Works Law*

This circular is issued in accordance with the information from the Department of Labor and Industrial Relations, (refer to attached DLIR Memorandum and Memorandum No. ED-1) reminding all contracting agencies and contractors that owner-operators who perform laborer or mechanic work on a project covered under HRS chapter 104 are subject to the requirements of the law.

Questions concerning HRS chapter 104 wage classifications shall be directed to the Department of Labor and Industrial Relations (DLIR), Wage Standards Division at 586-8777.

Attachments (2)

NEIL ABERCROMBIE
GOVERNOR

SHAN S. TSUTSUI
LIEUTENANT GOVERNOR



DWIGHT TAKAMINE
DIRECTOR

JADE T. BUTAY
DEPUTY DIRECTOR

**STATE OF HAWAII
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS**

830 PUNCHBOWL STREET, ROOM 321
HONOLULU, HAWAII 96813

www.labor.hawaii.gov

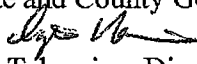
Phone: (808) 586-8844 / Fax: (808) 586-9099

Email: dlir.director@hawaii.gov

April 30, 2014

MEMORANDUM

TO: All State and County Governmental Contracting Agencies and Contractors

FROM: 
Dwight Takamine, Director
Department of Labor and Industrial Relations

SUBJECT: Memorandum No. ED-1, Listing of Owners/Partners on Certified Payrolls
Under Chapter 104, HRS

The Department of Labor and Industrial Relations (DLIR) would like to remind all contracting agencies and contractors that owner-operators who perform laborer or mechanic work on a project covered under Chapter 104, Hawaii Revised Statutes (HRS), Wages and Hours of Employees on Public Works Law, are subject to the requirements of the law. Therefore, owner-operators who perform laborer or mechanic work on a project covered under Chapter 104, HRS, must classify themselves according to the work performed, be paid the corresponding prevailing wage rate for that classification, and be included on the weekly certified payroll submitted to the contracting agency.

Attached for your reference is Memorandum No. ED-1, dated October 27, 1987, which addresses the situation. The DLIR's policy, as stated in the memorandum, has not changed.

If you have any questions, please call the DLIR Wage Standards Division at (808) 586-8777. This document is available on the DLIR website at <http://labor.hawaii.gov/wsd/guidelines/>.

Attachment

JOHN WAIHEE
GOVERNOR



MARIO R. RAMIL
DIRECTOR

SHARON Y. MIYASHIRO
DEPUTY DIRECTOR

STATE OF HAWAII
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
838 PUNCHBOWL STREET
HONOLULU, HAWAII 96813

October 27, 1987

MEMORANDUM NO. ED-1

To: All State and County Governmental Contracting Agencies

From: Mario R. Ramil, Director
Department of Labor and Industrial Relations

Subject: Listing of Owners/Partners on Certified Payrolls Under
Chapter 104, HRS

It has come to our attention that owners/partners who perform work as laborers or mechanics on Chapter 104, HRS, projects are being treated differently by some contracting agencies for payroll purposes.

Chapter 104, HRS, applies to any laborer or mechanic who performs work on a covered project. On November 7, 1985, the department's policy was changed to require any individual owner or partner who performs laborer's or mechanic's work on a Chapter 104, HRS, project, to be listed on the weekly certified payroll with full detail as required for other laborers or mechanics. Payment of the prevailing wage based on the applicable occupation is required.

If you have any questions, please contact Yukio Kagawa at telephone number 548-7625.

A handwritten signature in black ink, appearing to read "Mario R. Ramil".