

# Hawaii



## Comply Anywhere Poster Pack

*A digital compliance solution for all of  
your state labor law postings.*

## **Employee Notice – Your Rights Are Protected**

The State of Hawaii has established laws and regulations that protect the rights of employees. As your employer, we are conspicuously posting the information that is required by the State of Hawaii to better inform you of your rights as an employee of our company. If you should have any questions regarding these postings, please contact the personnel office or your immediate supervisor.

**Note:** *The Comply Anywhere Poster (CAP) Pack is designed to provide accurate and authoritative information in regard to the subject matter covered. Businesses with one or more employees are required to comply with federal, state and/or local law notification and posting requirements. CAP will not satisfy all labor law posting and notification requirements that must be posted conspicuously in a location frequented by employees at a business. CAPs should be used only as a supplementary product when space is limited.*

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*The Federal Government has additional laws and regulations that protect the rights of employees. These federal posters and notices, including federal contractor postings, can be found in our Federal Comply Anywhere Poster Pack at the following link:*

**[<< CLICK HERE >>](#)**



## WAGE AND HOUR LAWS NOTICE TO EMPLOYEES

**Minimum Wage** - **You have the right to** receive a minimum wage of at least \$14.00 per hour beginning January 1, 2024; at least \$16.00 per hour beginning January 1, 2026; and at least \$18.00 per hour beginning January 1, 2028. Under certain conditions, “tipped employees” may be paid less per hour.

**Overtime** - **You have the right to** be paid overtime at least one and one-half times your regular rate for all hours worked in excess of 40 in a workweek. The law also requires employers to maintain payroll records for at least 6 years.

- The Hawaii Wage and Hour Law exempts certain types of employment from minimum wage and overtime, such as outside salespersons and employees in an executive, administrative, supervisory, or professional capacity.

**Payment of Wages** - **You have the right to** be paid at least twice monthly on regular paydays designated in advance in cash, by checks convertible into cash, or within certain requirements, by direct deposit into the employee's account at a federally insured depository institution or pay card; within 7 days after the end of each pay period; paid wages in full at the time of discharge or no later than the next working day; or paid no later than the next regular payday if you quit or resign. However, if you give your employer one pay period's notice of your intention to quit, you must be paid on your last day of employment.

**Notification Requirements** - **You have the right to** be notified in writing at the time of hire of your rate of pay and the paydays. Any changes in pay arrangements prior to the time of such changes, and of any policies with regard to vacation, sick, or holiday pay must be made in writing or through a posted notice. You must also be furnished with a pay statement on payday showing gross wages, amount and purpose of each deduction, net pay, date of payment, and pay period covered. If your employer requires that you give advance notice of quitting and you are terminated after giving that notice, your employer is liable for the wages you would have earned up to the last day you intended to work unless you were terminated for cause.

**Withholding of Wages** - **You have the right to** ensure that there are no wrongful withholdings of your wages. Your employer may not collect, deduct or obtain authorization to deduct for:

- Fines (For example - an amount you must pay to your employer for being tardy.)
- Cash shortages in a common cash register or cash box used by two or more people, or in a cash register or cash box under your sole control unless given an opportunity to account for all monies received at the start of a shift and all monies turned in at the end of a shift.
- Penalties or replacement costs for breakage.
- Losses due to your acceptance of checks which are later dishonored if the employer has authorized you to accept checks.
- Losses due to faulty workmanship, lost or stolen property, damage to property, or default of customer credit or nonpayment for goods or services received by customers, as long as those losses are not due to your willful or intentional disregard of the employer's interest.

Your employer or prospective employer cannot require you to pay a job application processing fee. Your employer may deduct state and federal withholding taxes, amounts specified by court orders and amounts you authorized in writing.

**Collection of Unpaid Wages** - **You have the right to** file a complaint for unpaid wages with the Wage Standards Division within one year from the time the wages became due. Certain executives, administrators, professionals and outside salespersons may need to file a claim in a court of competent jurisdiction.

**Hawaii Family Leave Law** - **You have the right to** receive up to 4 weeks of unpaid, job-protected leave for the birth or adoption of your child, or to care for your child, parent, sibling, spouse, grandchild, or reciprocal beneficiary with a serious health condition. You are eligible only if you have at least 6 consecutive months of service, and your employer has 100 or more employees. Accrued paid leaves may be substituted for any part of the 4-week period. If your employer provides for paid sick leave, you may use up to 10 days of your accrued and available sick leave per year unless a collective bargaining agreement provides for more than 10 days.

**Prevailing Wages and Overtime on State and County Government Construction Projects** - **You have the right to** be paid the prevailing wages on government construction projects.

Updated 01/02/2024

**Lie Detector Tests** - **You have the right to** refuse a lie detector test.

**Work Injury** - **You have the right to** file a complaint if you feel that you have been suspended, discharged, or discriminated against solely because of a work injury that is compensable under the Workers' Compensation Laws, except under certain circumstances.

**Wage Standards Division:**

Oahu: 586-8777    Hilo: 974-6464    Maui: 243-5322    Kona: 322-4808    Kauai: 274-3351

**This notice provides general background information on Hawaii Wage and Hour laws and is not intended to serve as a substitute for legal counsel. For specific legal advice on individual situations, please consult an attorney.**

**Jade T. Butay, Director**  
**Department of Labor and Industrial Relations**

\* **You may satisfy Hawaii Labor Laws' posting requirements by posting our official labor law poster.**  
For more information: <http://labor.hawaii.gov/labor-law-poster>

Equal Opportunity Employer/Program  
Auxiliary aids and services are available upon request to individuals with disabilities. TDD/TTY Dial 711 then ask for (808) 586-8842





## DISABILITY COMPENSATION LAW NOTICE TO EMPLOYEES

**Workers' Compensation - You have the right to** receive workers' compensation benefits and medical care if you suffer a work-related injury. You must report the date, time and circumstance of your injury immediately to your employer or supervisor. Give the name of the insurer to your doctor so that your doctor will know where to send the physician's report. If your employer does not file a report of the injury, you may file a written claim with the Disability Compensation Division. You do not pay for the premium cost; your employer pays the entire amount.

You are entitled to all required medical, surgical and hospital services and supplies including medication; weekly benefits from the fourth day of disability to replace wage loss, representing 66 2/3% of your average weekly wage but not more than the maximum weekly benefit amount annually set by the Department; additional benefits if the injury results in permanent disability or disfigurement; vocational rehabilitation, if appropriate; funeral and burial expenses if the work injury results in death; and additional weekly benefits to the surviving spouse and other dependents.

**Temporary Disability Insurance - You have the right to** file a claim for temporary disability insurance benefits within 90 days from the date of disability if you suffer a disabling non-work-related injury/illness or inability to work because of your pregnancy. Your employer or insurance carrier should furnish you with a TDI-45 claim form or some other authorized claim form. You may receive TDI benefits if a physician properly certifies your inability to work. Generally, you must have worked for an employer in Hawaii at least two weeks before your disability. During the last 52 weeks, you must have: worked for at least 14 weeks; been paid for at least 20 hours per week; and earned at least \$400.

After a 7 consecutive day waiting period, you will be paid 58% of your average weekly wage, not to exceed the maximum in the TDI law. Your employer may have an "equivalent" plan approved by the Department, which may provide different benefits. You should ask your employer for details if they have an "equivalent" plan.

You may be required by your employer to share in the premium cost. Your share cannot be more than one-half of the cost and should not exceed .5% of your weekly wages. Your employer pays the remaining portion exceeding the prescribed limitation. If you are not eligible for benefits (see second paragraph above), your employer cannot deduct any contributions from you to share in the premium cost.

**Prepaid Health Care - You have the right to** enroll in your employer's prepaid health care insurance plan after 4 consecutive weeks of employment where you have worked at least 20 hours each week. The Department of Labor & Industrial Relations must approve the health care plan and include insurance coverage for hospital, surgical, medical, diagnostic and maternity medical care.

You should claim benefits under this program if a non-work-related injury or illness requires medical care. Give your doctor or hospital the name of your employer's health care contractor and the plan name.

If you are required to share in the premium cost for your coverage, your share cannot be more than 1.5% of your monthly wages or one-half the premium cost (whichever is less). Your employer pays the balance.

#### Disability Compensation Division:

Oahu	586-9161 (Workers' Compensation)
	586-9188 (Temporary Disability Insurance and Prepaid Health Care)
Hilo	974-6464
Kona	322-4808
Maui	243-5322
Kauai	274-3351

**This notice provides general background information on labor laws administered and enforced by DLIR's Disability Compensation Division and is not intended to serve as a substitute for legal counsel. For specific legal advice on individual situations, please consult an attorney.**

**Jade T. Butay, Director**  
Department of Labor and Industrial Relations

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**You have the right to** be free from unlawful discrimination in your employment. All applicants and employees of private and public employers (except the federal government), union members, and job seekers in employment agencies are protected by Hawaii law against employment discrimination.

You cannot be denied a job, fired, or subjected to unequal terms and conditions of employment because of your race, sex, including gender identity or expression, reproductive choices, refusing to enter into a nondisclosure agreement that prevents you from discussing workplace sexual harassment or assault sexual orientation, age, religion, color, ancestry/national origin, disability, marital status, civil union status, credit history, credit report, arrest and court record (except in limited circumstances), or domestic or sexual violence victim status. Sexual harassment by a supervisor or coworker is a form of sex discrimination. Employers are prohibited from retaliating against you for disclosing sexual harassment or sexual assault.

#### **Examples of Unlawful Employment Discrimination:**

- If you are a pregnant employee and are denied leave recommended by a doctor or are denied reinstatement to the same or comparable position after giving birth.
- If you are subjected to unwanted sexual advances or demands, offered benefits in exchange for sexual favors, threatened with demotion, firing, or loss of benefits for refusing sexual advances, or subjected to unwelcome sexual conduct.
- If you are denied a job or a promotion because of your race, sex, including gender identity or expression, sexual orientation, age, religion, color, ancestry, disability, marital status, civil union status, credit history, credit report, arrest and court record (except in limited circumstances), or domestic or sexual violence victim status.

#### **Filing a Complaint:**

**You have the right to** file a complaint if you have been subjected to discrimination because of your race, sex, including gender identity or expression, reproductive choices, refusing to enter into a nondisclosure agreement that prevents you from discussing workplace sexual harassment or assault, sexual orientation, age, religion, color, ancestry, disability, marital status, credit history, credit report, arrest and court record, or domestic or sexual violence victim status.

You can file a complaint by calling the Hawaii Civil Rights Commission. Under state law, you must file your complaint within 180 days of the act of discrimination.

**You have the right to** be free from discriminatory or retaliatory action from your employer for filing a complaint, participating in an investigation, or opposing a discriminatory practice.

#### **Hawaii Civil Rights Commission:**

Oahu: 586-8636

Hawaii: 974-4000, ext.68636

Maui: 984-2400, ext.68636

Kauai: 274 -3141, ext.68636

Molokai/Lanai: 1-800-468-4644, ext.68636 TDD/TTY 586-8636

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Jade T. Butay, Director  
Department of Labor and Industrial Relations

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## REQUIRED NOTICE TO DISLOCATED WORKERS/PLANT CLOSINGS NOTICE TO EMPLOYEES

**You have the right to** be notified in writing at least 60 days in advance of possible layoffs or terminations due to certain business transactions taken by your employer. Your employer must also notify the Department of Labor and Industrial Relations in the same manner according to the Dislocated Workers Act (DWA). The DWA applies to businesses which have at least 50 persons employed in the state at any time during the 12 months preceding the event, and are a party to a sale, transfer, merger, business takeover, bankruptcy, or business transaction, which will result in the relocation outside the state or the shutting down of all or a portion of operations.

**You have the right to** payment of a dislocated worker allowance if you are laid off or terminated due to these transactions and are eligible for unemployment compensation benefits. These payments supplement unemployment benefits for a maximum 4-week period.

For general information about the Dislocated Workers Act or the Dislocated Workers Allowance, please call the Workforce Development Division at 586-8877.

For information about assistance to employers and employees facing a business closure, please contact the following American Job Centers:

### American Job Centers:

Oahu:	768-5701
Hawaii:	935-6527
Maui:	270-5777
Kauai:	274-3056

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Jade T. Butay, Director  
Department of Labor and Industrial Relations

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Equal Opportunity Employer/Program  
Auxiliary aids and services are available upon request to individuals with disabilities.  
TDD/TTY Dial 711 then ask for (808) 586-8842.

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**You have the right to** be free from discrimination and retaliation if you leave your job to perform military service, when seeking initial employment, reemployment, and retention in employment, promotion or any benefit of employment.

**You have the right,** if you leave your job to perform military service, to elect to continue your existing employer-based health plan coverage for you and your dependents for up to 24 months while in the military.

**You have the right,** even if you don't elect to continue coverage during your military service, to be reinstated in your employer's health plan when you are reemployed, generally without any waiting periods or exclusions (e.g., preexisting condition exclusions) except for service connected illnesses or injuries.

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Jade T. Butay, Director  
Department of Labor and Industrial Relations

\*You may satisfy Hawaii labor Laws' posting requirements by posting our official labor law poster. For more information: <http://labor.hawaii.gov/ui/official-labor-law-poster>



## You Have a Right to a Safe and Healthful Workplace

# IT'S THE LAW!

- You have the right to notify your employer or HIOSH (808-586-9092) about workplace hazards. HIOSH will keep your name and identity confidential.
- You have the right to request a HIOSH inspection if you believe that there are unsafe and/or unhealthful conditions at your workplace. You or your representative may participate in the inspection.
- You have a right to see HIOSH citations issued to your employer. Your employer must post the citations at or near the place of the alleged violation.
- Your employer must correct workplace hazards by the date indicated on the citation and must certify that these hazards have been reduced or eliminated.
- You have the right to copies of your medical records or records of your exposure to toxic and harmful substances or conditions.
- Your employer may not discriminate against you for making a safety and health complaint or for exercising your rights under the law, some of which are detailed above. You can file a discrimination complaint with HIOSH within 60 days of the discriminatory act. ***Private sector employees must also file a discrimination complaint with the OSHA Regional Office below within 30 days of the discriminatory act or they will lose their rights to pursue a federal claim under section 11(c) of the federal Occupational Safety and Health Act of 1970 after the conclusion of the HIOSH investigation.***
- Report to OSHA all work-related fatalities within 8 hours, and all inpatient hospitalizations, amputations, and losses of an eye within 24 hours.
- Provide required training to all workers in a language and vocabulary they can understand.
- Your employer must post this notice in the workplace in a prominent location or where such notices are customarily located.



The Hawaii Occupational Safety and Health Law of 1972, Chapter 396, Hawaii Revised Statutes, assures safe and healthful working conditions for every worker in the State. The Hawaii Occupational Safety and Health Division (HIOSH) of the state Department of Labor & Industrial Relations, has the primary responsibility

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for administering the HIOSH Law. HIOSH does not cover those hired for domestic service in or about a private home, maritime or shipbuilding employees, employees covered by a federal agency, and employees working on military installations. The Occupational Safety and Health Administration (OSHA) monitors the HIOSH program to ensure its effectiveness. If you believe HIOSH is not meeting its responsibilities, you may file a Complaint About State Program Administration (CASPA) directly to the OSHA Regional Office:

Regional Administrator  
U.S. Department of Labor  
Occupational Safety and Health Administration 90 7th Street, Suite 18100  
San Francisco, California 94103

Copies of the State law, the HIOSH Rules and Standards or other program information may be obtained at:



**HIOSH**  
**830 Punchbowl St**  
**Rm 423**  
**Honolulu, HI 96813**  
**Tel. (808) 586-9116**  
<http://labor.hawaii.gov/hiosh/>

## UNEMPLOYMENT INSURANCE LAW NOTICE TO EMPLOYEES

**You have the right to** unemployment benefits if you lose your job or your work hours are substantially reduced through no fault of your own. You may file your claim for unemployment insurance benefits online or in-person at a local claims office.

Go to [uiclaims.hawaii.gov](http://uiclaims.hawaii.gov) between 6:30 am to 11:00 pm, Monday through Friday and between 9:00 am to 11:00 pm on weekends & holidays (Hawaii Standard Time). You will need a valid email address to create an online account.

### Important Information:

- When you file, you must provide your social security number.
- If you are not a U.S. citizen, you should have your alien registration number available.
- You will need to provide information for all of your employers in the past 18 months, such as the employer’s name, address, zip code, phone number, dates of employment, and the reason for separation. Ex-military servicepersons should have their DD214 (member 4) available. Former federal employees should have their Standard Form 8, Standard Form 50, or pay stubs available.
- File your claim promptly. Your claim will begin only from the week that you file with the Unemployment Insurance Office.
- If benefits are payable, you must receive your payments by direct deposit. You must provide your account type (savings or checking), financial institution routing number, and your account number.

### Unemployment Insurance Offices:

General Unemployment.....	(833) 901-2275	
Oahu Claims Office.....	586-8970.....	<a href="mailto:dlir.ui.oahu@hawaii.gov">dlir.ui.oahu@hawaii.gov</a>
Hilo Claims Office.....	974-4086.....	<a href="mailto:dlir.ui.hilo@hawaii.gov">dlir.ui.hilo@hawaii.gov</a>
Kona Claims Office .....	322-4822.....	<a href="mailto:dlir.ui.kona@hawaii.gov">dlir.ui.kona@hawaii.gov</a>
Maui Claims Office.....	984-8400 .....	<a href="mailto:dlir.ui.maui@hawaii.gov">dlir.ui.maui@hawaii.gov</a>
Kauai Claims Office.....	274-3043 .....	<a href="mailto:dlir.ui.kauai@hawaii.gov">dlir.ui.kauai@hawaii.gov</a>
Liable Interstate Unit .....	586-8970.....	<a href="mailto:dlir.ui.oahu@hawaii.gov">dlir.ui.oahu@hawaii.gov</a>

### Appointments:

Regular UI Claims, Regular UI Adjudication, & Employer Services.....<http://labor.hawaii.gov/ui/appointments>

This notice provides general background information on labor laws administered and enforced by DLIR's Disability Compensation Division and is not intended to serve as a substitute for legal counsel. For specific legal advice on individual situations, please consult an attorney.

Jade T. Butay, Director  
Department of Labor and Industrial Relations

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Equal Opportunity Employer/Program  
Auxiliary aids and services are available upon request to individuals with disabilities.  
TDD/TTY Dial 711 then ask for (808) 586-8842.

Revised 01/02/2024

A banner with a background image of a city skyline. The text "WHISTLEBLOWER PROTECTION LAW" is in white, bold, uppercase letters. Below it, "NOTICE TO EMPLOYEES" is in a large, red, serif font with a white outline.

## WHISTLEBLOWER PROTECTION LAW NOTICE TO EMPLOYEES

**You have the right to** not suffer from any adverse employment action, such as termination or discrimination, regarding your employment conditions because you reported or were about to report to a government agency or your employer, verbally or in writing, a violation or a suspected violation of a law or a contract executed by the government.

**You have the right to** not suffer from any adverse employment action because you participated in an investigation, hearing or inquiry conducted by a government agency or court of law.

If you believe your employer has violated this law, you may file a lawsuit in state court within 2 years after the occurrence of the alleged violation.

This notice provides general background information on Hawaii labor and employment law and is not intended to serve as a substitute for legal counsel. For specific legal advice on individual situations, please consult an attorney.

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<http://labor.gov/labor-law-poster/>

Equal Opportunity Employer/Program  
Auxiliary aids and services are available upon request to individuals with disabilities.  
TDD/TTY Dial 711 then ask for (808) 586-8866.

Revised 01/09/18



HWHL-1 (Rev. 06/22)



STATE OF HAWAII  
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS  
WAGE STANDARDS DIVISION

## NOTICE TO EMPLOYEES

**Under the HAWAII WAGE AND HOUR LAW**  
[\(Chapter 387, Hawaii Revised Statutes, and Chapter 12-20, Hawaii Administrative Rules\)](#)

**\$10.10 per hour**  
effective through September 30, 2022

**\$12.00 per hour**  
effective October 1, 2022 through December 31, 2023

**\$14.00 per hour**  
effective January 1, 2024 through December 31, 2025

**\$16.00 per hour**  
effective January 1, 2026 through December 31, 2027

**\$18.00 per hour**  
effective January 1, 2028

TIP CREDIT - Under certain conditions, "tipped employees" may be paid up to 75 cents less per hour; effective October 1, 2022, up to \$1.00 less per hour; effective January 1, 2024, up to \$1.25 less per hour; and effective January 1, 2028, up to \$1.50 less per hour. See Section 387-2(b), Hawaii Revised Statutes.

Minimum wage under the Hawaii Wage and Hour Law also applies to employment covered by the federal wage and hour law (Fair Labor Standards Act) when Hawaii standards are higher than the federal law. The law also requires employers to maintain time records.

ENFORCEMENT: The Department of Labor and Industrial Relations may recover back wages, either administratively or through court action, for employees who have been underpaid.

**FOR MORE INFORMATION contact the nearest Department of Labor office:**

Oahu	830 Punchbowl Street, Room 340, Honolulu 96813	Phone: (808) 586-8777
Kauai	State Building, Room 202, 3060 Eiwa Street, Lihue 96766	(808) 274-3351
Maui	2264 Aupuni Street, Wailuku 96793	(808) 243-5322
Hawaii	State Building, Room 108, 75 Aupuni Street, Hilo 96720	(808) 974-6464
West Hawaii	Post Office Building, Room 2087, 81-990 Halekii St., Kealahou 96750	(808) 322-4808



**The law requires employers to post this notice in a place accessible to employees.**  
This notice can be downloaded from the department's web site at [www.labor.hawaii.gov/](http://www.labor.hawaii.gov/)

# NOTICE TO EMPLOYEES

Under the HAWAII EMPLOYMENT PRACTICES LAW

[\(Act 249, 2013 Regular Session\)](#)

## BREASTFEEDING IN THE WORKPLACE

**effective July 1, 2013**

**You have the right to** reasonable break time to express milk for your nursing child at the workplace in a location, other than the restroom, that is shielded from view and free from intrusion from coworkers and the public for one year after your child's birth.

Employers with fewer than twenty employees who can show that providing the time and place to express breast milk as required under [Act 249](#) (SLH, 2013) would impose an undue hardship by causing the employer significant difficulty or expense in relation to the size, financial resources, nature, or structure of the employer's business shall not be subject to the time and place requirements of Act 249.

Employers who fail to comply with the requirements of Act 249 shall be fined \$500 per violation and may be liable for damages suffered by the employee.

**ENFORCEMENT:** If you believe your employer has violated this law you may file a lawsuit in state court for appropriate injunctive relief, actual damages, or both, within two years after the occurrence of the alleged violation. Damages may include reasonable attorneys' fees.

This notice provides general background information on Hawaii Employment Practices Law and is not intended to serve as a substitute for legal counsel. For specific legal advice on individual situations, please consult your attorney.

**The law requires employers to post a notice in a conspicuous place accessible to employees providing information regarding this employment practice.**

Department of Labor and Industrial Relations  
Equal Opportunity Employer/Program  
Auxiliary aids and services are available upon request to individuals with disabilities.  
TDD/TTY Dial 711 then ask for (808) 586-8866.

Revised 11/10/15

# NOTICE TO EMPLOYEES

If you or someone you know is being forced to engage in any activity and cannot leave – whether it is commercial sex, housework, farm work, or any other similar activity – call the National Human Trafficking Resource Center Hotline at:

**1-888-373-7888**

to access help and services. Victims of human trafficking are protected under United States and Hawaii law.

The hotline is:

- (1) Available twenty-four hours a day, seven days a week;
- (2) Toll free;
- (3) Operated by a non-profit, non-governmental organization;
- (4) Anonymous and confidential;
- (5) Accessible in one hundred seventy languages; and
- (6) Able to provide help, referral to services, training, and general information.

Act 245 (SLH, 2013) effective January 1, 2014.

## Additional Notices

With the purchase of your **Hawaii Digital Comply Anywhere Poster Pack**, you are entitled to **free downloads** of conditionally required industry-specific and municipal postings.

See instructions below to review and download additionally required materials.

- 1) **Review** all conditional notices required in the state of Hawaii.
- 2) **Download**, print, and post any notices that pertain to your business type, demographic, and/or location.

To download these materials, please visit:  
[www.personnelconcepts.com/downloads/hicn](http://www.personnelconcepts.com/downloads/hicn)

When prompted, enter the **ACCESS CODE: PCHICN**