

Hawaii labor law checklist 2026

Minimum wage	\$16.00 an hour.
Tipped cash wage	\$14.75
Next change	\$18.00 on January 1, 2028
Overtime	The federal FLSA rule applies: overtime at 1.5 times the regular rate after 40 hours in a workweek. There is no daily overtime rule.
Exempt salary test	Hawaii's state exemption requires a guaranteed monthly salary of at least \$2,000, but the federal \$684 a week test is higher and controls for most employers.
Meal breaks	No state meal break law for adult employees. Federal law doesn't require meal breaks either, but if you give one of 30 minutes or more and the employee is fully relieved of duty, it can be unpaid.
Rest breaks	No state rest break law for adults. Under federal law, short breaks of 5 to 20 minutes that you choose to give must be paid.
Final pay if fired	Immediately, or by the next working day if immediate payment isn't possible.
Final pay if they quit	On the last day if the employee gave one pay period's notice; otherwise by the next regular payday.
Unused PTO	Not required by state law. Follow your written policy or contract, and apply it consistently.
Paid sick leave	No statewide paid sick leave law. Check city and county rules, and federal contractor rules (Executive Order 13706) if they apply.
Paid family leave	No paid family leave program, but Hawaii requires Temporary Disability Insurance (TDI), which pays partial wages for an employee's own non-work illness or injury. Employers may deduct part of the cost from wages.
Pay transparency	Required for employers with 50 or more employees: an hourly rate or salary range in job postings.
New hire reporting	Report each new hire within 20 days of the hire date, the federal deadline.
State income tax	Withhold state income tax.
State agency	Hawaii Department of Labor and Industrial Relations: https://labor.hawaii.gov

What trips up Hawaii employers

- ☐ The Prepaid Health Care Act requires health coverage for employees working 20 or more hours a week for 4 consecutive weeks.
- ☐ Temporary Disability Insurance is mandatory, through an insurer or an approved self-insured plan.
- ☐ Tip credits only apply when wages plus tips are at least \$7.00 above the minimum wage.
- ☐ Check the minimum wage on January 1 and July 1, and update payroll and posters.
- ☐ Confirm final pay timing before every termination meeting.

All 50 states and DC, comparison tables, and a free CSV: hrtally.com/state-labor-laws

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