

EXECUTIVE ORDER NO. 15- 01

(Civil Service and Exempt Employees Excluded From Bargaining Units 1, 2, 3, 4, 9, 10 and 11)

WHEREAS, under chapter 89C of the Hawaii Revised Statutes, the Governor is granted the authority to make adjustments to the wages, hours, benefits, and other terms and conditions of employment for elected and appointed officials, and employees in the Executive Branch who are excluded from collective bargaining coverage; and

WHEREAS, for excluded employees who are civil service employees under the same classification systems as employees within collective bargaining units, chapter 89C requires that the adjustments be “not less than” those provided under the collective bargaining agreements for employees hired on a comparable basis; and

WHEREAS, chapter 89C also requires that the adjustments for excluded civil service employees result in compensation and benefit packages that are “at least equal to” the compensation and benefit packages provided under collective bargaining agreements for counterparts and subordinates within the Employer’s jurisdiction; and

WHEREAS, chapter 89C provides that each appropriate authority shall determine the adjustments that are relevant for their respective excluded employees who are exempt from civil service in consideration of the compensation and benefit packages provided for other employees in comparable agencies; and

WHEREAS, the State, Judiciary, Hawai'i Health Systems Corporation, City and County of Honolulu, and Counties of Hawai'i, Maui and Kauai have entered into tentative agreements with the Hawaii Government Employees Association (HGEA), as the exclusive representatives for Bargaining Units (BUs) 2, 3, 4, and 9 for the

July 1, 2015 through June 30, 2017 collective bargaining agreements, which terms and conditions have been accepted and ratified by the respective bargaining units; and

WHEREAS, the State, Judiciary, Hawai'i Health Systems Corporation, City and County of Honolulu, and Counties of Hawai'i, Maui and Kauai have entered into Memoranda of Agreement (MOA) with the United Public Workers (UPW), as the exclusive representatives for BUs 1 and 10 for the period July 1, 2015 through June 30, 2017; and

WHEREAS, the State, City and County of Honolulu, and Counties of Hawai'i, Maui and Kauai have entered into a Memorandum of Agreement (MOA) with the Hawaii Fire Fighters Association (HFFA), as the exclusive representatives for BU 11 for the period July 1, 2015 through June 30, 2017; and

WHEREAS, consistent with the agreed-upon terms and conditions, the Director of Human Resources Development has recommended to the Governor the adjustments specified in this Executive Order for civil service and exempt employees within the executive branch who are excluded from BUs 1, 2, 3, 4, 9, 10 and 11;

NOW, THEREFORE, I, David Y. Ige, Governor of Hawai'i, pursuant to my executive authority under articles V and VII of the Constitution of the State of Hawai'i, the provisions of chapters 37 and 89C of the Hawaii Revised Statutes, and all other applicable authority, do hereby order, effective July 1, 2015 through June 30, 2017, the following for civil service and exempt employees excluded from BUs 1, 2, 3, 4, 9, 10 and 11:

Salaries:

Attachment A

This adjustment is applicable to non-EMCP civil service and exempt employees excluded from BU 2.

Attachment B

This adjustment is applicable to non-EMCP civil service and exempt employees excluded from BU 3.

Attachment C

This adjustment is applicable to non-EMCP civil service and exempt employees excluded from BU 4.

Attachment D

This adjustment is applicable to non-EMCP civil service and exempt employees excluded from BU 9.

Hawai'i Employer-Union Health Benefits Trust – Attachment E

This adjustment is applicable to civil service and exempt employees excluded from BU 1, 2, 3, 4, 9, 10 and 11.

Standby Pay – Attachment F

This adjustment is applicable to civil service and exempt employees excluded from BU 2.

Time Off for Overtime Worked – Attachment G

This adjustment is applicable to civil service and exempt employees who are excluded from BU 2.

Compensation Adjustment – Attachment H

This adjustment is applicable to civil service employees who are excluded from BU 2.

IT IS FURTHER ORDERED that this Executive Order does not apply to:

(1) employees of public charter schools and the Department of Education; (2) the University of Hawai'i; (3) employees hired for 89 days or less; and (4) those Executive Branch employees whom I later determine shall not receive the aforementioned adjustments; and

IT IS FURTHER ORDERED that this Executive Order is not intended to create, and does not create, any rights or benefits, whether substantive or procedural, or enforceable at law or in equity, against the State of Hawai'i or its agencies, departments, entities, employees, or any other person; and

IT IS FURTHER ORDERED that these provisions are subject to amendment by Executive Order.

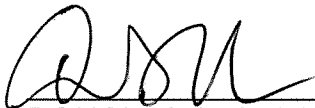
The Director of Human Resources Development shall be responsible for the uniform administration of this Executive Order and is authorized to make any interpretations concerning the applicability of this Executive Order to employees of the State Executive Branch who are excluded from collective bargaining coverage.

DONE at the State Capitol, Honolulu,
State of Hawai'i, this 16th day of
June, 2015.



DAVID Y. IGE
Governor

APPROVED AS TO FORM:



DOUGLAS S. CHIN
Attorney General