MEMORANDUM

TO: Vice Presidents
    Chancellors
    State Director for Career and Technical Education

VIA: Sam Callejo
     Vice President for Administration

FROM: Brenna Hashimoto
      System Director of Human Resources

SUBJECT: Bargaining Unit (BU) Exclusion of Administrative, Professional and Technical (APT) Positions

Statutory bargaining units and criteria for exclusion from collective bargaining are specified in Chapter 89 of the Hawai‘i Revised Statutes. In light of the additional delegation for classification of APT positions, we are reminding programs of the process for requesting exclusion of APT positions:

For New Positions – Exclusion of newly established APT position from collective bargaining

- Supervisor enters position description in the Position Description Generator (PDG) and submits request to the Personnel Representative.
- Personnel Representative reviews position and, as appropriate, works with program in requesting BU exclusion of position via a memo to OHR.
- Personnel Representative submits memo to OHR requesting BU exclusion and reviews request.
- OHR determines appropriate BU designation pursuant to statute.
  - If exclusion is appropriate, OHR notifies program via memo. Program may establish and recruit for position as an excluded position.
  - If exclusion is not appropriate, OHR notifies program via memo. Program establishes position as an included position and recruits accordingly.
- OHR seeks concurrence with Union on exclusion request.
- Should Union not concur, position remains excluded. OHR notifies program via memo of Union’s non-concurrence.
- Union may petition HLRB for position inclusion.
- Personnel Representative enters BU in PeopleSoft.
For Existing Vacant/Filled Position – Change in BU status from included to excluded

- Supervisor initiates redescription of position in PDG and submits request to the Personnel Representative.
- Personnel Representative reviews position and, as appropriate, works with program in requesting BU exclusion of position via a memo to OHR. Please note: Classification action may be taken on the position redescription request, pending union concurrence on exclusion.
- OHR receives program memo requesting BU exclusion and reviews request.
- OHR determines appropriate BU designation pursuant to statute.
  - If exclusion is appropriate, OHR sends consultation letter to Union to seek concurrence of proposed exclusion of position.
    - Upon union concurrence, OHR notifies program via memo. Position status is changed from included to excluded, effective the day after union concurrence.
    - Should Union not concur, position remains included. OHR notifies program via memo. UH may petition HLRB for position exclusion.
  - If exclusion is not appropriate, OHR notifies program via memo.
- Personnel Representative updates BU in PeopleSoft.

Should there be any questions on the above processes, please contact me at 956-8988 or email me at hbrenna@hawaii.edu.

c: Personnel Representatives via web