

MEMORANDUM OF AGREEMENT
ACT 253, SLH 2000
Article 8, Discipline
Bargaining Unit 02

This MEMORANDUM OF AGREEMENT is entered into this 18th day of May, 2006, by and between the State of Hawaii, the Hawaii Health Systems Corporation, the Judiciary, the City and County of Honolulu, the County of Hawaii, the County of Maui, and the County of Kauai ("Employer") and the Hawaii Government Employees Association, AFSCME, Local 152, AFL-CIO ("Union") on behalf of the employees of Bargaining Unit 02.

As the result of negotiations between the parties in compliance with Act 253, SLH 2000, Article 8, Discipline, is amended as follows:

ARTICLE 8 - DISCIPLINE

A. Regular Employees shall not be disciplined without proper cause. Grievances regarding these matters shall be handled in accordance with the provisions of Article 11, Grievance Procedure.

B. Disciplinary action taken against any Employee [~~in writing~~] shall be considered confidential.

C. When an Employee is orally reprimanded, it shall be done privately.

D. Written Reprimands.

1. A written reprimand issued to an Employee shall contain the specific reasons for the action and a statement that the Employee may consult the Union on the matter.

2. The written reprimand shall be issued to the Employee in person or, if impracticable, mailed to the Employee's last known address.

E. Suspensions.

1. Whenever an Employee is suspended for four (4) or less working days, the Employee shall be given written notice of the suspension within forty-eight (48) hours after the suspension; provided that, for suspensions of five (5) or more working days, the Employee shall be given written notice of the suspension prior to the commencement of the suspension. The notice shall contain the following:

a. The specific reason(s) for the suspension;

- b. The effective date(s) of the suspension; and
- c. A statement that the Employee may consult with the Union on the matter.

2. The notice of suspension shall be provided to the Employee in person or, if impracticable, mailed to the Employee's last known address.

F. Discharges and Disciplinary Demotions.

1. Whenever a discharge or disciplinary demotion action is to be taken against an Employee, the Employee shall be given a written notice of such action. The notice shall contain the following:

- a. The specific reason(s) for the action;
- b. The effective date(s) of the discharge or disciplinary demotion;
- c. An opportunity to respond prior to the effective date of the discharge or disciplinary demotion action; and
- d. A statement that the Employee may consult with the Union on the matter.


2. A written notice of a discharge or disciplinary demotion action shall be issued to the Employee in person, or if impracticable, mailed to the Employee's last known address at least ten (10) days prior to the discharge or disciplinary demotion action.

3. A disciplinary demotion shall be for a specified period of time.

This MEMORANDUM OF AGREEMENT is effective on the day first set forth above and shall continue in effect until such time that the provisions herein are incorporated into the BU 02 collective bargaining agreement with the printing of the next BU 02 collective bargaining agreement.

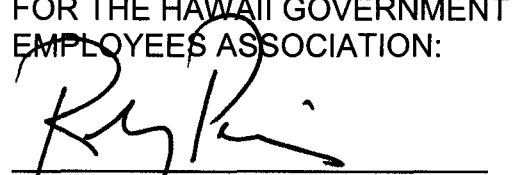
IN WITNESS WHEREOF, the parties hereto by their authorized representatives have executed this MEMORANDUM OF AGREEMENT as of the effective date written above.

FOR THE EMPLOYER:

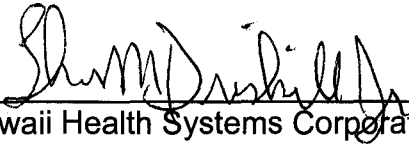


State of Hawai'i and
Office of Collective Bargaining

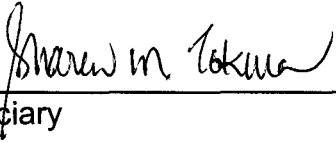
FOR THE HAWAII GOVERNMENT
EMPLOYEES ASSOCIATION:



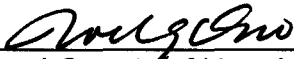
f Russell K. Okata, Executive Director



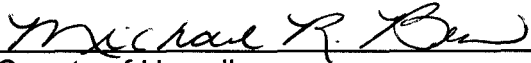
Hawaii Health Systems Corporation



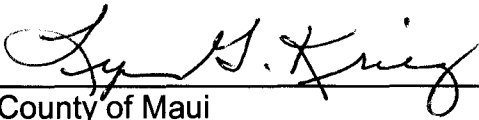
Judiciary



City and County of Honolulu



County of Hawaii

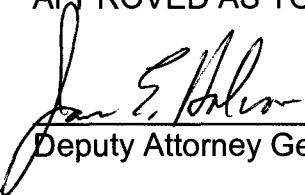


County of Maui



County of Kauai

APPROVED AS TO FORM



Deputy Attorney General