BU 8 Tentative Agreement
Union RP
Employer BA
Date 11-24-09

ARTICLE (NEW) – FAMILY LEAVE

A. Employee entitlement to State family leave is set forth in Chapter 398, Hawai'i Revised Statutes. Accrued vacation leave and/or sick leave may be substituted for any part or all of the allowable State family leave up to a maximum of four (4) weeks per designated twelve (12) month period.

B. Employee entitlement to Federal family leave is set forth in the Family and Medical Leave Act of 1993.

C. Administration and enforcement of the State and Federal family leave provisions shall be in accordance with applicable laws and regulations. Appeals with regard to state and federal family leave shall be filed with the appropriate state and/or federal agencies who are responsible for administering and enforcing the respective provisions mentioned herein, i.e., State of Hawai'i Department of Labor and Industrial Relations or the United States Department of Labor, Wage and Hour Division. Appeals shall not be filed through the grievance procedure found in the collective bargaining agreement, unless a representative of the applicable state or federal agency first determines that the agency does not have jurisdiction over the administrative appeal because the appeal concerns the interpretation/application of this Article.