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February 7 2005

TO: Departmental Personnel Officers

FROM: Labor Relations Office

SUBJECT: Memoranda of Agreement with HGEA on Pay Administration

The enclosed MOA are the latest result in our on-going negotiations with HGEA to negotiate into the collective bargaining agreements, certain rights and benefits that were once provided for in our Hawaii Administrative Rules (HAR) and the Hawaii Revised Statutes (HRS) before it was repealed via Act 253. As such, these MOA do not require any special implementation procedures as they support our existing practice and in essence are already in effect.

The following is a brief explanation of the amendments:

1. COMPENSATION ADJUSTMENT

Paragraph A, General Provisions

*for BUs 2 & 9*

Subparagraph 3 was amended by replacing "Increment or longevity pay increase" with "Step Movement" since we no longer have increments and movements to longevity steps are called "Step movements." The new language is now consistent with BUs 3, 4 and 13.

Paragraph B, Compensation Adjustment Upon Promotion

*for BUs 2, 3, 4 & 9*

Subparagraph 3 was amended because we do not have limited term appointments and because this benefit was provided for in repealed HAR 14-6-3(c), which stated: "A regular employee who is released from a position while serving a temporary appointment, new probational or provisional promotion and is returned to the position the employee last held a permanent appointment shall be compensated as though the employee had remained in the former position continuously."

Paragraph B, Compensation Adjustment Upon Promotion

*for BU 13*

Subparagraph 3 was added because this benefit was provided for in repealed HAR 14-6-3(c).

Paragraph C, Compensation Adjustment Upon Demotion

*for BUs 2, 3, 4, 9 & 13*

Subparagraph 5.b., was amended because we do not have provisional appointments and because this benefit was provided for in repealed HAR 14-6-3(d)(1)(C), which stated: "Upon

return to the position in which the employee last held a permanent appointment, a regular employee who is granted a voluntary demotion or a temporary or provisional appointment basis, shall be compensated as though the employee had remained in the former position continuously." Repealed HAR 14-3.04-2(f) extended the same assurances for employees serving new probationary periods.

Paragraph E, Compensation Adjustment Upon Reallocation

*for BUs 2, 3, 4, 9 & 13*

Subparagraph 5 was added because it was a benefit provided for in repealed HAR 14-6-5(d)(2), which stated: "Upon return of the employee's position's original classification after a temporary reallocation upward, the employee shall be compensated at the rate the employee would have received were it not for the temporary reallocation."

Paragraph G, Compensation of Employees Selected from an Open Competitive List Resulting from a Recruitment Above the Minimum

*for BU 2*

Paragraph G was amended because the BU 2 salary schedule is no longer limited to two steps. The new language is identical to language in other HGEA cbas.

Paragraph I, Temporary Differential Pay

*for BU 2 (there is at least one BU 2 state employee with a CD)*

Paragraph I is renamed, Temporary Differential Pay and Compression Differential Pay. Subparagraphs 5 and 6 were both added because the method of adjusting CD was provided for in repealed HAR 14-6-9(b) and 14-6-9(c).

2. SALARY SCHEDULE

Article 51A - Salary Schedules for Blue-Collar Supervisory Positions

*for BU 2*

Article 51 was added because of the repeal of HRS 77-5(C). The new language is similar to the language of the repealed law.

If you have any questions, please call your point of contact in the Personnel Transactions or Labor Relations Office.

ERD:lr/lr  
Attachments

c: OCB  
HRD Divisions  
AG/ELD  
Jurisdictions