

**ADMINISTRATIVE OFFICERS/PERSONNEL OFFICERS**  
**DIRECTED LEAVE WITHOUT PAY (DLWOP) QUESTIONS AND ANSWERS**  
**(For UPW Bargaining Unit 1 Employees and Excluded Counterparts Only in the University of Hawaii)**

NOTE: The following questions and answers are specifically intended to briefly address DLWOP related issues that apply only to UPW BU 1 employees and their excluded counterparts at the University of Hawai'i and shall not constitute a contract of employment. The applicable negotiated agreements or executive order and DLWOP implementation plan shall take precedence over any conflicting information in the questions and answers below.

**GENERAL QUESTIONS**

**Q1: Will campuses be allowed to make temporary assignments (TA) so that employees can cover the work of others on directed leave without pay (DLWOP)?**

A1: Temporary assignments will continue to be at the discretion of the Chancellor and based on operational needs. Chancellors or a designee are still required to follow the collective bargaining agreement or the executive order, whichever is applicable to the affected employees.

**Q2: Can a person be hired or an employee be transferred in from another department on a DLWOP day?**

A2: No, since pay is being reduced by one (1) day per pay period, if the person were hired on the last day of the pay period they would receive no pay for that day's work.

**Q3: Can a person be hired or an employee be transferred on the last day of a pay period?**

A3: No.

**Q4: Can an employee separate from service on a DLWOP day?**

A4: Yes.

**Q5: Will DLWOP extend the period of an 89-day appointment?**

A5: No. The 89 days will continue to be calculated based upon calendar days.

**Q6: Are 89-day hires excluded from the DLWOP?**

A6: No. The 89-day hire's work schedule must be adjusted for the DLWOP days and reflected on the SA FORM D-55 Individual Time Sheet.

## **OVERTIME**

**Q7: On the day of a DLWOP, if an employee is called in to work, how should the employee be paid?**

A7: When an employee is required to report to work on the employee's scheduled DLWOP day, the employee shall be paid overtime for the hours worked. In addition, the DLWOP day shall not be rescheduled to a later day.

**Q8: If management authorizes an employee to attend a training class on a DLWOP day, how will that affect the DLWOP?**

A8: When an employee is required to attend training on the employee's scheduled DLWOP day, the employee shall be paid overtime while attending training. In addition, the DLWOP day shall not be rescheduled to a later day.

**Q9: In the following situation, if an employee is on DLWOP on Friday and is called in to work on Saturday, is the employee entitled to overtime?**

- **Employee's work schedule is Monday – Friday.**
- **Employee's scheduled days off are Saturday and Sunday.**

A9: Yes. Campuses are still required to follow the collective bargaining agreement\* or the executive order, whichever is applicable to the affected employee.

\* Example: Section 26.02e, Day Off, provides overtime when an employee is required to work "on the employee's scheduled day off and there has been no change, by mutual consent (or by due prior notice), in the work schedule."

## **WORK SCHEDULES**

**Q10: When establishing employee work schedules, how should supervisors schedule employees for their DLWOP days?**

A10: For the period December 1, 2011 up to and including June 30, 2012, supervisors should schedule employees for two (2) DLWOP days each month.

For the period July 1, 2012 up to and including May 31, 2013, supervisors should schedule employees for one (1) DLWOP day per month.

During the month of June 2013 supervisors should schedule employees for two (2) DLWOP days.

The purpose of scheduling the DLWOP days in this manner will minimize adjustments for employees who leave their positions and do not participate in the DLWOP program during the entire DLWOP period.

**LEAVES**

**Q11: Will an employee who is on Leave Without Pay (LWOP) be subject to DLWOP?**

A11: Yes. DLWOP days are part of an employee's work schedule and, therefore, employees are not to be charged LWOP on those days.

**Q12: For employees on Leave Without Pay (LWOP), how will their DLWOP be calculated?**

A12: Whenever a LWOP (authorized or unauthorized) occurs, the University's payroll office will make a manual adjustment to the employee's pay.  
 An example of the DLWOP pay adjustment is provided below:

**EXAMPLE 1**

An employee is on LWOP on March 5, 6, & 7, 2012.  
 The employee's scheduled DLWOP day is March 8.  
 How would you calculate pay for the pay period March 1 - 15?

Employee's Monthly Base Rate: 3,080.00  
 Monthly DLWOP Adjustment: 284.28  
 Semi-Monthly DLWOP Adjustment: 142.14

$$\begin{array}{r}
 \text{March 2012} \\
 8/22 \times 3,080.00 = 1,120.00 \\
 \text{Semi-Monthly DLWOP Adjustment} \quad \underline{(142.14)} \\
 \text{Amount to be paid for 1st half of pay period} \quad \underline{977.86}
 \end{array}$$

March 1, 2012						
Su	M	T	W	Th	F	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

Holiday: March 26, 2011  
 Prince Jonah Kuhio Kalaniana'ole Day

**Q13: Should employees submit an Application for Leave of Absence (UH Form 1) or enter it in the UH on-line leave system for DLWOP taken?**

A13: No.

**Q14: How should campuses record the schedule of DLWOP days?**

A14: Campuses should keep a record of when DLWOP days are scheduled and observed, however, AO/POs may use their discretion regarding how they choose to keep track of the DLWOP days.

**Q15: If an employee unexpectedly gets sick on a scheduled DLWOP day, can the employee select another DLWOP day?**

A15: No.

**Q16: A doctor's certificate is required when an employee is out sick for 5 or more consecutive working days. If an employee is out sick from Monday thru Thursday and Friday is a DLWOP day, would the employee be required to submit a doctor's certificate if the employee returns to work on Monday?**

A16: No. However, if the employee returned to work on Tuesday, a doctor's certificate will be required, since Monday would be considered the 5<sup>th</sup> consecutive work day.

**Q17: Can an employee take his/her DLWOP on a holiday?**

A17: No, DLWOP will not be scheduled on holidays.

**Q18: If an employee already requested and was approved vacation leave, can a DLWOP day be substituted for one of the pre-approved vacation days?**

A18: It may, depending on operational needs.

**WORKERS' COMPENSATION**

**Q19: Will an employee's workers' compensation pay benefit be subject to DLWOP adjustments if out for a full pay period?**

A19: No.

**Q20: Will an employee who is receiving "Temporary Partial Disability" (TPD) workers' compensation benefits be subject to DLWOP?**

A20: Yes. The DLWOP adjustments should be based upon the number of hours that the employee would have worked on a DLWOP day.

Example: If an employee is medically released to work for 3 hours per day and receives TPD benefits for the remaining 5 hours per day, the DLWOP adjustment for a DLWOP day would be 3 hours.