



STATE OF HAWAII
DEPARTMENT OF HUMAN RESOURCES DEVELOPMENT
235 S. BERETANIA STREET
HONOLULU, HAWAII 96813-2437

October 8, 2004

TO: Departmental Personnel Officers
FROM: Labor Relations Office
SUBJECT: Executed Mutual Agreements for Implementation

Enclosed are copies of the following mutual agreements for implementation:

**1. Memoranda of Agreement, Act 253, SLH 2000, Leaves of Absences/
Workers' Compensation Leave Benefits, BU 2, 3, 4, 9, and 13.**

These MOA were negotiated between the Employer-jurisdictions and HGEA in compliance with Act 253, SLH 2000. New Articles 14A were negotiated and are effective October 7, 2004 and will be effective until the Articles are incorporated into the BU 2, 3, 4, 9, and 13 collective bargaining agreements.

These MOA provide an employee who is absent from work due to a work related injury or illness and who is receiving workers' compensation wage loss replacement benefits or temporary total or partial disability benefits the following:

- Continued earning of vacation and sick leave credits.
- The use of accumulated sick leave credits or vacation credits, in the absence of accrued sick leave credits, to supplement workers' compensation wage loss replacement benefits.
- The use of accumulated credits during the Workers' Compensation waiting period.
- Non-forfeiture of any excess accumulated vacation leave credits.

These provisions are similar to the expired Supplemental Agreement effective July 1, 2002, and should not require any special implementation procedures.

2. Supplemental Agreement, Article 51 – Military Leave, BU 9

This Supplemental Agreement amends military leave with pay to permit an employee to use up to 15 days of military leave with pay from a succeeding calendar year for second orders within a calendar year.

This Supplemental Agreement is effective July 1, 2004 through June 30, 2005. Effective July 1, 2005, this amendment shall be incorporated into the BU 9 collective bargaining agreement.

3. Supplemental Agreement, Compensation Adjustments for Exempt, Temporary and Initial Probationary Employees, BU 3

This Agreement amends Article 14, Compensation Adjustments, of the BU 3 collective bargaining agreement. The provisions are essentially identical to the Supplemental Agreements already executed and distributed for BU 4 and 13 that were explained at a briefing held on August 5, 2004, by Carleton Taketa and Sharlene Hara. The BU 3 Agreement is effective July 1, 2004 through June 30, 2005.

Please share this Agreement with your staff, especially those in transactions, to ensure that exempt employees who are hired via Act 128, SLH 2004, and temporary employees are properly compensated.

Negotiations on agreements for BU 2 and 9 are in progress.

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

Encls./ Supplemental Agreement BU 3
Supplemental Agreement BU 9
MOA BU 2, 3, 4, 9 13

c: HRD Divisions
AG/ELD
DAGS Pre-Audit