

MEMORANDUM OF AGREEMENT
ACT 253, SLH 2000
Leaves of Absence/Workers Compensation Leave Benefits
Bargaining Unit 04

This MEMORANDUM OF AGREEMENT is entered into this 7th day of October, 2004, 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 04.

A new Article 14A, Workers' Compensation Leave Benefits, is added to the BU 04 collective bargaining agreement as follows:

ARTICLE 14A – WORKERS' COMPENSATION LEAVE BENEFITS

A. An Employee who is absent from work because of injuries and/or illnesses incurred while working and is receiving workers' compensation wage loss replacement benefits or temporary total disability or temporary partial disability payments shall continue to earn vacation and sick leave credits as though the Employee was not absent from work.

B. An Employee who is absent from work and is receiving workers' compensation wage loss replacement benefits may use accumulated sick leave credits to receive an additional amount that would bring the Employee's total compensation to a sum equal to the Employee's regular compensation. In the event the Employee does not have any accrued sick leave credits, the Employee may elect to use accrued vacation credits to bring the Employee's total payment to a sum equal to the Employee's regular salary. Accumulated credits may be used to continue the Employee's regular compensation during the waiting period.

C. An Employee shall not forfeit any excess accumulated vacation leave credit when the Employee is receiving workers' compensation wage loss replacement benefits. The taking of excess vacation leave under Article 35. B. shall apply.

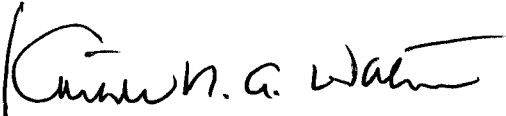
D. An Employee is entitled to use the sick and vacation leave credits earned during the period of absence from work.

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 04 collective bargaining agreement with the printing of the next BU 04 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:

FOR THE HAWAII GOVERNMENT
EMPLOYEES ASSOCIATION:



State of Hawaii





Office of Collective Bargaining



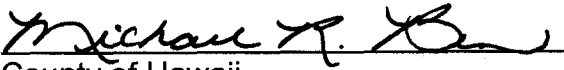
Hawaii Health Systems Corporation



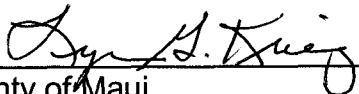
Judiciary



City and County of Honolulu



County of Hawaii




County of Maui



County of Kauai

APPROVED AS TO FORM



State Attorney General