

## RIGHTS AND BENEFITS

Rights and benefits shall include, but shall not be limited to, the following:

1. Board of Regents Policies.
  - a. Patents and Copyrights - Section 5-3f  
(See Administrative Rules 20-3)
  - b. Exemption from Tuition - Section 6-4e  
(See Administrative Rules 20-3)
  - c. Employment of Relatives - Section 9-4  
(See Administrative Rules 20-3)
  - d. Political Activity - Section 9-5  
(See Administrative Rules 20-3)
  - e. Outside Employment - Section 9-7  
(See Administrative Rules 20-3)
  - f. Relocation Allowances - Section 9-9  
(See Administrative Rules 20-3)
  - g. Health Fund, Retirement and Other Benefits - Section 9-13  
(See Administrative Rules 20-3)
  - h. Parking - Section 10-5  
(See Administrative Rules 20-12)
  - i. Travel Per Diem - Section 9-18
  - j. Legal Representation  
(contained at the end of this Chapter)
2. Hawai'i Revised Statutes.
  - a. Holidays - Chapter 8
  - b. Vacation leave - Chapter 79
  - c. Sick leaves - Chapter 79
  - d. Worker's compensation - Chapter 79
  - e. Funeral leave - Chapter 79

- f. Jury or witness leave - Chapter 79
  - g. Military leave - Chapter 79
  - h. Medical, dental and life insurance plans - Chapter 87
  - i. Retirement and Social Security benefits - Chapter 88
3. In cases where the granting of benefits affect programs or facilities of the University, the President may prescribe conditions under which such benefits shall be awarded.

#### Legal Representation.

1. The Board shall provide legal counsel to executive and managerial employees upon written request when:
  - a. The executive or managerial employee is sued for actions taken by the employee in the course of the employee's employment and within the scope of the employee's duties and responsibilities, as determined in accordance with paragraph 2 below.
  - b. The executive or managerial employee must appear as a defendant in court or in a legal proceeding when sued for actions taken in the course of the employee's employment and within the scope of the employee's duties and responsibilities in accordance with paragraph 2 below.
  - c. The executive or managerial employee must appear as a witness or is subpoenaed to appear in court or in a legal proceeding on a matter arising in the course of employee's employment and within the scope of the employee's duties and responsibilities in accordance with paragraph 2 below.
  - d. The executive or managerial employee is required to give a deposition, answer interrogatories or provide discovery on a matter arising in the course of employee's employment and within the scope of the employee's duties and responsibilities in accordance with paragraph 2 below.
2. If the executive or managerial employee requesting legal representation does not report directly to the President, the President or designee shall determine if the executive or managerial employee was performing within the course of the employee's employment and within the scope of the employee's duties and responsibilities.

If the executive or managerial employee requesting representation reports directly to the President, the President or designee shall appoint a three member committee to evaluate if the employee was performing within the course and scope of the employee's employment and within the employee's duties and responsibilities. The committee shall report its evaluation with a recommendation to the President.

If the executive or managerial employee requesting legal representation reports directly to the Board, the Board or its designee shall determine if the executive or managerial employee was performing within the course of the employee's employment and within the scope of the employee's duties and responsibilities.

3. The University shall be responsible for any judgment or court approved settlement made against an executive or managerial employee in a civil suit for actions taken by the executive or managerial employee in the course of his/her employment and within the scope of his/her duties and responsibilities, and the Board of Regents may request an appropriation from the Legislature to cover the cost of any judgment (or court approved settlement) against the executive or managerial employee.